

Minutes of Meeting
Business Meeting
February 28, 2023
2:00 p.m.

The Kootenai County Board of Commissioners: Chair Leslie Duncan, Commissioner Bruce Mattare and Commissioner Bill Brooks met to discuss the following agenda items. Also present were KCSO Sheriff Robert Norris, KCSO Undersheriff Brent Nelson, KCSO Lieutenant Mark Ellis, KCSO Sergeant Ryan Miller, Office of Emergency Management (OEM) Preparedness Coordinator Sarah Long, Solid Waste (SW) Director John (JP) Phillips, Finance Director Brandi Falcon, Staff Accountant – Budget Arrow Gidney, Elections Manager Asa Gray, Elections Clerk III Christina Olesen, Deputy Trial Court Administrator Samantha Wallis, Resource Management Office (RMO) Director Jody Bieze, RMO Grants Manager Dorian Komberec, Civil Deputy Prosecuting Attorney R. David Ferguson, Juvenile Diversion Supervisor Douglas Hall, BOCC Senior Business Analyst Nanci Plouffe, BOCC Communications Coordinator Jonathan Gillham and Deputy Clerk Tina Ginorio. Also present were T-O Engineers Representative Corrie Esvelt-Siegford and Kootenai County Residents Halley Jalbert, Jason Johnston, Charity Myser and Jim Stafford. Commissioner Brooks, Sergeant Miller, Ms. Komberec, Ms. Bieze and Ms. Long were present via teleconference.

- A. Call to Order:** Chair Leslie Duncan called the meeting to order at 2:00 p.m.
- B. Moment of Silence**
- C. Pledge of Allegiance:** KCSO Lieutenant Mark Ellis led the Pledge of Allegiance.
- D. Changes to the Agenda: (Action):**

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.

Chair Duncan said she would like to handle item 29 from the agenda before item 28.

- E. Approve Meeting Minutes (Action)**

02/08/2023	Requests for Cancellation of Taxes
02/10/2023	Advisory Board Interview
02/14/2023	Commissioners' Status Update
02/14/2023	Business Meeting
02/17/2023	Executive Session §74-206(1)(a)

Commissioner Bill Brooks moved that the Board approve items 1 through 6, the submitted minutes. Commissioner Bruce Mattare seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Mattare: Aye
Chair Duncan: Aye

The motion carried.

F. Approve Consent Calendar (Action)

Resolution 2023-23/Adjust Taxes/Valuation/Van Buskirk/AIN 15935
Resolution 2023-24/Adjust Taxes to Reflect Circuit Breaker/Burchett/AIN 196257
~~Resolution 2023-24/Adjust Taxes to Reflect Circuit Breaker/Burchett/AIN 196257 - duplicate item~~
Resolution 2023-25/Adjust Taxes to Reflect PTR Credit/Pennington/AIN 110996
Resolution 2023-26/Adjust Taxes to Reflect 2022 Casualty Loss/Fire Damage/Nelson/AIN 105455
Resolution 2023-27/Adjust Taxes to Reflect 2022 Casualty Loss/Baugher/AIN 130772
Resolution 2023-28/Adjust Taxes to Reflect 2021 & 2022 Casualty Loss/Malone/AIN 144364
Resolution 2023-29/Adjust Taxes to Reflect 2021 & 2022 Casualty Loss/AIN 144364
Kennel License Renewal/Tails Inn
Human Resources PAF/SCF Report for 2023 PP5 Week 2
BOCC Signatures for Indigent Cases: 2/16/2023 – 2/22/2023

Commissioner Mattare moved that the Board approve items 7 through 16 on the agenda, the Consent Calendar, with the exception of item 9 which was a duplicate of item 8. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Mattare: Aye
Chair Duncan: Aye

The motion carried.

G. Approve Payables List (Action)

Commissioner Brooks moved that the Board accept the Payables List for the week of February 20, 2023 through February 24, 2023 in the amount of \$1,373,495.60, with no jury payments. Commissioner Mattare seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Mattare: Aye
Chair Duncan: Aye

The motion carried.

Clerk Jennifer Locke entered the meeting at 2:06 p.m.

H. Business:

Bid – Opening/FAA AIP Project 3-16-0010-05X-2023 Rehab Runway 6/24 and Construct Taxiway B4/Airport (Action)

Chair Duncan stated that two bids had been received.

Commissioner Mattare opened each bid and reported on the contents.

Poe Asphalt Paving Inc.

Schedule A	Rehab Runway 6/24	\$3,448,852.75
Schedule B	Construct Taxiway B4	\$1,119,966.25
Schedule C	Runway Lighting	\$175,625

Interstate Concrete & Asphalt

Schedule A	Rehab Runway 6/24	\$4,487,893
Schedule B	Construct Taxiway B4	\$1,033,468.75
Schedule C	Runway Lighting	\$233,270

Commissioner Mattare moved that the Board acknowledge the receipt of the bids for AIP Project 3-16-0010-05X-2023 Rehab Runway 6/24 and Construct Taxiway B4 and forward them to the Airport and Legal. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Mattare: Aye

Chair Duncan: Aye

The motion carried.

Kootenai County Residents Halley Jalbert and Jason Johnston exited the meeting at 2:07 p.m.

Bid – Award Bid #18WFM-06/Fernan Natural Area Hazard Fuel Treatment Veterans Centennial Park/Resource Management Office (Action)

Resource Management Office (RMO) Director Jody Bieze requested the Board’s approval of a bid award for the Fernan Natural Area Hazard Fuel Treatment at Veterans Centennial Park. She explained that five bids had been received, with Miller Landworks, LLC being lowest at \$19,102.50.

Commissioner Brooks moved that the Board award Bid #18WFM-06 for Fernan Natural Area Hazard Fuel Treatment at Veterans Centennial Park. Commissioner Mattare seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Mattare: Aye

Chair Duncan: Aye

The motion carried.

Chair Duncan noted that the name of the company and the amount of the successful bid needed to be included. She amended the motion as follows:

Chair Duncan moved that the Board amend the previous motion to include that the bid was awarded to Miller Landworks, LLC, in the amount of \$19,102.50. Commissioner Mattare seconded the amended motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Mattare: Aye
Chair Duncan: Aye

The motion carried.

Bid – Award Bid#18WFM-07/Fernan Natural Area Hazard Fuel Treatment Gifted View Davison/Resource Management Office (Action)

Ms. Bieze requested the Board’s approval of a bid award for the Fernan Natural Area Hazard Fuel Treatment located at East Gifted View Drive. She reported that Next Generation Logging was the lowest bidder at \$37,810.

Commissioner Mattare moved that the Board approve the bid award #18WFM-07 for the Fernan Natural Area Hazard Fuel Treatment at Gifted View Davidson to Next Generation Logging for \$37,810. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Mattare: Aye
Chair Duncan: Aye

The motion carried.

Proclamation: Kootenai County Fair Housing Month/ICDBG Panhandle Village Water System Improvements Phase 2 Project/Resource Management Office (Action)

RMO Grants Manager Dorian Komberec explained that Idaho Community Development Block Grants (ICDBG) require recipients to proclaim a Fair Housing Month for each year of performance of the grant. She asked the Board to approve the proclamation of April 2023 as Kootenai County’s Fair Housing Month.

Commissioner Mattare moved that the Board approve the proclamation of Kootenai County Fair Housing Month, according to ICDBG. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Mattare: Aye
Chair Duncan: Aye

The motion carried.

Board Approval Request: Contract Change Order Number 1 – TML Construction, Inc – SRE Building Trench Drain Modification/Airport (Action)

Ms. Esvelt-Siegford explained that this represented a modification of the original bid and split the trench drain into two sections that would accommodate the mezzanine added to the SRE (Snow Removal Equipment) Building. She said the \$1,927 would come from the grant that came directly from the State of Idaho, rather than the portion that came from the FAA (Federal Aviation Administration).

Commissioner Mattare moved that the Board approve the request for Contract Change Order Number 1 with TML Construction, Inc. for the SRE Building Trench Drain Modification for \$1,927. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Mattare: Aye

Chair Duncan: Aye

The motion carried.

Ms. Esvelt-Siegford exited the meeting at 2:14 p.m.

Contract Approval for SIMs Meeting/Kootenai County Fairgrounds/Specialty Court (Action)

District Court Deputy Trial Court Administrator Samantha Wallis requested the Board's approval of a contract for the SIMs meeting to be held at the Kootenai County Fairgrounds. She explained the contract was for use of Building 19 on June 7 and 8, 2023, for \$1,386.70, which would be fully refunded by the State.

Commissioner Brooks moved that the Board approve the contract for the SIMs Meeting at the Kootenai County Fairgrounds for Specialty Court, as requested. Commissioner Mattare seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Mattare: Aye

Chair Duncan: Aye

The motion carried.

Ms. Wallis exited the meeting at 2:15 p.m.

Grant Application/SFY24 Substance Abuse Block Grant (SABG)/Idaho Office of Drug Policy (ODP) \$7,893.00/No Match Requirement/Juvenile Diversion (Action)

Juvenile Diversion Supervisor Douglas Hall requested the Board's approval of a grant application for the SFY24 Substance Abuse Block Grant from the Idaho Office of Drug Policy. He stated this was a grant that they applied for every year to fund their drug and alcohol programs.

Commissioner Brooks moved that the Board approve Grant Application SFY24 Substance Abuse Block Grant (SABG) from the Idaho Office of Drug Policy for \$7,893, with no match required. Commissioner Mattare seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Mattare: Aye

Chair Duncan: Aye

The motion carried.

Mr. Hall exited the meeting at 2:16 p.m.

Grant Agreement/Recreational Boating Safety (RBS)/Idaho Department of Parks and Recreation (IDPR) \$169,738.00/Cash Match Vessel Fund \$84,869.00/Sheriff – Rec Safety (Action)

KCSO Sergeant Ryan Miller requested the Board’s approval of a grant agreement for the Recreational Boating Safety program from the Idaho Department of Parks and Recreation in the amount of \$169,739, with a cash match coming from the Vessel Fund in the amount of \$84,869.

Commissioner Mattare moved that the Board approve the grant agreement for Recreational Boating Safety from the Idaho Department of Parks and Recreation in the amount of \$169,738, with a cash match from the Vessel Fund of \$84,869. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Mattare: Aye
Chair Duncan: Aye

The motion carried.

2023 USDA Forest Service and KCSO Operating and Financial Plan/USDA Forest Service/Sheriff/Patrol (Action)

Lieutenant Ellis stated that this represented their yearly agreement between the United States Forest Service and KCSO to offer law enforcement services on National Forest System Lands in Kootenai County. He said this provided reimbursement for KCSO services.

Commissioner Brooks moved that the Board approve the USDA Forest Service and KCSO Operating and Financial Plan. Commissioner Mattare seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Mattare: Aye
Chair Duncan: Aye

The motion carried.

Chair Duncan asked that item 29 from the agenda be handled next.

No objections were voiced.

MOU for Air Support Unit/Kootenai County Regional Air Support Unit/Sheriff/Patrol (Action)

KCSO Sheriff Robert Norris requested the Board’s approval of an MOU (Memorandum of Understanding) for the Kootenai County Regional Air Support Unit.

Sheriff Norris remarked that the Air Support Unit was following the same path as the K-9 Unit and the Food Services Program. He pointed out that an individual had come forward and donated the \$100,000 food trailer and the K-9 program was largely supported by community donors. He added that the Dive Team had recently received all new, state-of-the-art equipment through community donations.

Sheriff Norris said the new unit would remove the need for KCSO to call on Two Bear Air, Civil Air Patrol, private aircraft or Spokane County Sheriff's Office Aircraft. He remarked that the new unit would help with their challenges in retaining and recruiting staff and the unit should also improve public safety.

Sheriff Norris explained that they would like to initiate a 2-year pilot program, funded by private donors, at no additional cost to taxpayers. He said that they would request some drug trafficking money to assist in their rescue operations and the redirection of the \$10,000 that had been paid to Spokane County each year for access to their aircraft. He provided a short presentation which included a list of all donors who had agreed to be recognized.

Commissioner Brooks asked what would happen after the first two years ended or if some of the significant donors departed.

Sheriff Norris replied that the County taxpayers would not bear any additional expense in that case. In response to a question from Commissioner Mattare, he confirmed that when other jurisdictions wanted to use the helicopter, they would reimburse KCSO.

Lieutenant Ellis stated that he had already spoken to multiple agencies that would be interested in joining and helping to fund the unit. He confirmed that the Kootenai County Regional Air Support Unit would be an LLC, not owned by the County, and would be classified as a 501(c)(3) tax exempt organization under Internal Revenue Code. He also confirmed that donations were tax deductible.

Chair Duncan commented that she had been in favor of the program from the beginning because it was funded by donations, not taxes. She indicated that she would not like to see it being used for enforcing traffic infractions on land or water.

Sheriff Norris said he agreed with her on that; he stated that KCSO was not interested in enforcing infractions with this unit. He confirmed that the LLC would cover all insurance and maintenance. He said that they would be able to call on a cadre of extremely experienced pilots, many of whom were former military combat pilots with tens of thousands of hours flying this type of aircraft.

Chair Duncan asked if any of the members of the community wished to speak to the issues.

Kootenai County Resident Charity Myser asked whether the actions of this private entity would be FOIA-able (available through the Freedom of Information Act).

Chair Duncan replied that the entity would be considered a private contractor, so only the County's part in it would be FOIA related. She said that the law enforcement portions of records would be considered available under that rule.

Sheriff Norris remarked that Two Bear Air would probably not comply with a FOIA request. He added that the private entity helicopters and aircraft that KCSO now used would probably decline to respond also. He stated that the Air Support Unit would be

more willing to provide information, in the interest of transparency. In response to a further question from Ms. Myser, he confirmed that their insurance would cover liability issues.

Commissioner Brooks asked whether the unit would be used in any way for surveillance of people in Kootenai County.

Lieutenant Ellis said it could be, especially where drug enforcement was involved.

Sheriff Norris stated it would be used for surveillance of “a criminal nexus,” not for any other purposes.

Commissioner Mattare said he hoped KCSO would be able to provide data on the positive impact of the new unit on retention of personnel.

Commissioner Brooks moved that the Board approve the MOU for the Kootenai County Regional Air Support Unit as described. Commissioner Mattare seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Mattare: Aye

Chair Duncan: Aye

The motion carried.

Chair Duncan directed that item 28 from the agenda be addressed.

Board Approval Request: Suspension from Spokane County and Formation of Kootenai County Air Support Relocating Funds/Sheriff/Patrol (Action)

Lieutenant Ellis asked the Board’s approval to end KCSO’s prior agreement with Spokane County and the movement of the \$10,000 previously paid to Spokane County to the new Air Support Unit.

Commissioner Mattare moved that the Board suspend the Spokane County agreement, the formation of Kootenai County Air Support and the reallocation of funds as described. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Mattare: Aye

Chair Duncan: Aye

The motion carried.

Board Approval Request: Use of Asset Forfeiture Account Funds for Spotlight and Camera/Sheriff/Patrol (Action)

Lieutenant Ellis asked the Board’s approval to use Asset Forfeiture Account Funds to purchase a spotlight, thermal camera and associated gear for the Air Support Unit.

Commissioner Brooks moved that the Board approve the request to use Asset Forfeiture Account Funds for the spotlight and camera, as described, for the Sheriff's program. Commissioner Mattare seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Mattare: Aye

Chair Duncan: Aye

The motion carried.

Sheriff Norris and KCSO Undersheriff Brett Nelson exited the meeting at 2:39 p.m.

Redundant Internet Connection/FatBeam/Information Technology (Action)

Information Technology (IT) Network Administrator Grant Kinsey requested the Board's approval for installation of a redundant internet connection. He explained this would act as a backup if the primary connection were to go down. He said the cost would be about \$610 and predicted that, after the planned phone system change took place, the expense would be covered by savings. He stated that all services would be changed from Verizon to FatBeam shortly.

Commissioner Mattare moved that the Board approve the redundant internet connection with FatBeam. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Mattare: Aye

Chair Duncan: Aye

The motion carried.

Kootenai Electric Facility Fiber Connection/FatBeam/Information Technology (Action)

Mr. Kinsey explained this entailed fiber connectivity from the Sheriff's facility to the Kootenai Electric Facility, now called Kootenai North. He described the reasoning behind the decision and stated the cost would be about \$1,500 per month. He noted that this expense would also be covered by the projected savings created by the switch from Verizon.

Commissioner Brooks moved that the Board approve the Kootenai Electric Facility fiber connection with FatBeam for IT. Commissioner Mattare seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Mattare: Aye

Chair Duncan: Aye

The motion carried.

H&H Printer Maintenance Agreements/H&H Document Management Systems/Information Technology (Action)

Mr. Kinsey requested the Board's approval of the H&H Printer Maintenance Agreements with H&H Document Management Systems. He described the schedule under which

copiers were replaced at the County and stated that it cost less to have this vendor perform the services than to do it in-house.

Commissioner Mattare moved that the Board approve the H&H Printer Maintenance Agreements with H&H Document Management Systems for IT. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Mattare: Aye

Chair Duncan: Aye

The motion carried.

Mr. Kinsey exited the meeting at 2:40 p.m.

MOU Renewal for Emergency Use of Fairgrounds/Kootenai County/Kootenai County Fair Board/Office of Emergency Management (Action)

Office of Emergency Management (OEM) Preparedness Coordinator Sarah Long requested the Board's approval of renewal of the MOU for emergency use of the Fairgrounds. She noted that changes had been made to contact information and an addition to Section 4, Subsection D, which included details of temporary housing of inmates in the event of the evacuation of the Kootenai County Jail. She stated that the MOU had been reviewed and approved by Legal.

Commissioner Brooks moved that the Board approve the renewal of the MOU for emergency use of the Fairgrounds, as described, between the Kootenai County Fair Board and the Office of Emergency Management. Commissioner Mattare seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Mattare: Aye

Chair Duncan: Aye

The motion carried.

Lieutenant Ellis exited the meeting at 2:41 p.m.

Board Approval Request: Pursuant to Policy 930/Purchase of Absentee Ballot Envelopes and Secrecy Sleeves/K&H Integrated Print Solutions/Elections (Action)

Elections Manager Asa Gray requested the Board's approval of the purchase of absentee ballot envelopes and secrecy sleeves from K&H Integrated Print Solutions. He said the expense had been included in their Budget.

Commissioner Mattare moved that the Board approve the purchase of the absentee ballot envelopes and secrecy sleeves from K&H Integrated Print Solutions, pursuant to Policy 930, in the amount of \$13,265. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Mattare: Aye

Chair Duncan: Aye

The motion carried.

**Advisory Board – Appointment/Cody Christian/Historic Preservation Commission –
Term Expires December 31, 2025/BOCC (Action)**

BOCC Communications Coordinator Jonathan Gillham confirmed that the Historic Preservation Commission had recommended the appointment of Cody Christian to their group, with a term to expire December 31, 2025.

Commissioner Brooks moved that the Board appoint Cody Christian to the Historic Preservation Commission with a term to expire December 31, 2025. Commissioner Mattare seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Mattare: Aye
Chair Duncan: Aye

The motion carried.

**Resolution 2023-30/Fighting Creek Landfill Right-of-Way Exchange/Solid Waste
(Action)**

Solid Waste (SW) Director John (JP) Phillips requested the Board's approval of Resolution 2023-30, for a right-of-way exchange for the Fighting Creek Landfill with Worley Highway District.

Commissioner Mattare moved that the Board approve Resolution 2023-30, for the Fighting Creek Landfill right-of-way exchange. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Mattare: Aye
Chair Duncan: Aye

The motion carried.

**Resolution 2023-31/Purchase of Goods and Services on Open Market/Solid Waste
(Action)**

Mr. Phillips requested the Board's approval of Resolution 2023-31, to permit the purchase of goods and services on the open market. He reminded those present that SW had received no bids for a recycle truck after going through the standard process. He reported that Civil Deputy Prosecuting Attorney Jamila Holmes had drafted the Resolution presented which would allow SW to buy the recycle truck on the open market. He stated that he intended to solicit multiple vendors to get the best possible price.

Commissioner Brooks moved that the Board approve Resolution 2023-31, for the purchase of goods and services on the open market for Solid Waste. Commissioner Mattare seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Mattare: Aye
Chair Duncan: Aye

The motion carried.

Janitorial Request for Proposal (Action)

Chair Duncan reminded those present that a proposal had been made that would allow the County to seek an outside janitorial service or to hire its own full-time employees. She noted that the County had experienced difficulties in the past with custodian services on campus. She asked for input from the other Commissioners.

Commissioner Brooks suggested that the County seek proposals and, after reviewing the response, consider whether to bring the work in-house.

Chair Duncan agreed, but predicted that any proposals would likely be more expensive than what they were paying now.

Commissioner Mattare agreed with Commissioner Brooks' suggestion.

Commissioner Mattare moved that the Board approve the Janitorial Request for Proposal, to publicize and receive bids. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Mattare: Aye

Chair Duncan: Aye

The motion carried.

Status Update Pending Items (Discussion)

Facilities Expansion

Chair Duncan announced that the next meeting for this would be on March 16, 2023, and that cost savings would be discussed.

Impact Fees

Commissioner Brooks stated that he was expecting to receive letters of support from some, but not all, of the mayors. He indicated that Post Falls had expressed reluctance and predicted that letters would arrive before the end of March.

Chair Duncan asked for additional public comments.

Kootenai County Resident Jim Stafford asked for clarification of the difference between a public meeting and a public hearing.

Chair Duncan explained that this was a public meeting, in which the Board could call for public comment but that it was not required. She said a public hearing was held for the specific purpose of calling on the public for input. She reminded those present that extensive public hearings had been held regarding the Spokane River issues in the past and said that the Board did not plan to hold another.

Mr. Stafford objected, saying that Commissioners Mattare and Brooks had both indicated that they would favor holding a public hearing in a previous meeting. He said he felt one should be held.

Chair Duncan stated that email comments would be addressed by the Board members and confirmed that a public meeting had been scheduled for March 29, 2023, at 2:00 p.m.

Mr. Stafford said that he felt the Spokane River should ban towing, as the Coeur d'Alene River had. He added that the Commissioners would be presented with a great deal more information regarding surf boarding and excessive wakes' impact on the environment. He expressed concern that it had been stated that there might be reluctance to enforce wake regulations.

Ms. Myser said that the issue with the Assessor's Office had become a "public fiasco," and asked the BOCC to resolve it as soon as possible.

Commissioner Mattare moved that the Board enter into Executive Session pursuant to Idaho Code §74-206(1)(f). Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Mattare: Aye
Chair Duncan: Aye

The motion carried.

Chair Duncan invited Civil Deputy Prosecuting Attorney R. David Ferguson to remain for the Executive Session.

The Board entered into Executive Session at 2:57 p.m.

BOCC

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. The mere presence of legal counsel at an executive session does not satisfy this requirement. – BOCC Division (Closed Session – Discussion)

Decisions/Direction (Open Meeting – Action)

The Board exited Executive Session at 3:02 p.m.

Commissioner Mattare moved that the Board exit Executive Session and that the County will no longer use the services of Lake City Law Group for this particular item. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Mattare: Aye
Chair Duncan: Aye

The motion carried.

- I. **Public Comment (Discussion):** 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 additional public comments.

- J. **Adjournment (Action):** Chair Duncan adjourned the meeting at 3:02 p.m.

Respectfully submitted,

JENNIFER LOCKE, CLERK

BOCC SIGNATURE

BY: _____
Tina Ginorio, Deputy Clerk