

Bonner County

Board of Commissioners

Lewis Rich

Cornel Rasor

Mike Nielsen

MINUTES OF THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

July 19, 2011- 8:45 a.m.

Bonner County Administration Bldg.

Third Floor Conference Room

1500 Hwy 2, Suite 308, Sandpoint, ID

On Tuesday, July 19, 2011 the Bonner County Commissioners met for their regularly scheduled meeting with all three Commissioners present

CALL TO ORDER

Chairman Lewis Rich called the meeting to order at 8:50 a.m.

INVOCATION

Commissioner Lewis Rich presented the Invocation.

PLEDGE OF ALLEGIANCE

ADOPT ORDER OF THE AGENDA

Commissioner Rich advised of the following changes to the Agenda:

1. **Personnel:** Add: Executive Session with the Prosecuting Attorney under Idaho Code §67-2345(B) **Personnel/Potential Hiring.**

Commissioner Nielsen made a motion to adopt the Order of the Agenda, as amended. Commissioner Rasor seconded the motion. All in favor. The motion passed.

MEETING UPDATES

Commissioner Rich: Commissioner Rich reported on the Idaho Transportation Department Regional Board Meeting reporting that the bolt issues on the Dover Bridge will not slow the project down; however, the fault issue from the blasting will delay the opening, not the actual construction. Commissioner Rich also attended the Panhandle Lakes Resource Conservation and Development meeting and the District 1 meeting (which includes the five northern counties in the Panhandle) regarding conservation efforts and wolf issues and taking back all forest land for conservation and management and setting up topics for the upcoming legislative update. Commissioner Rich also attended the Sandpoint Airport Board meeting where fence repair issues were discussed along with an aviation gas situation last weekend. Additionally, crack problems with the runway were discussed.

PUBLIC COMMENT

Robert Rasmussen – Mr. Rasmussen presented an update on the conservation easement proposal with Stimson Lumber Company in the north part of Bonner County.

Steve Klatt – Mr. Klatt appeared to discuss Item 5 under Road and Bridge. Please see Road & Bridge, Item 5 below.

Ron Korn – Ron Korn of Bonner County Search and Rescue appeared advising a formal complaint is being filed against the Bonner County Clerk, Marie Scott, who refused to surrender the Search and Rescue's corporate credit card and opened mail addressed to Bonner County Sheriff's Search and Rescue, Inc.

CONSENT AGENDA

- 1) Approval of Public Hearing Minutes of June 22, 2011.

Commissioner Razor made a motion to approve the Consent Agenda. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

SOLID WASTE, WATERWAYS, PARKS & RECREATION and WEEDS – Leslie Marshall

- 1) Updates on Staff, Projects and Departments.

Director Leslie Marshall presented updates on staff, projects and departments as follows: In Solid Waste recycle and clean-up will be completed and refrigerators will be picked up and taken to Colburn for decommissioning. In Weeds: Districts 1 and 2 rights-of-way are being sprayed, new invaders and Knotweed are being treated; Tom Woolf will be in town and will check Flowering Rush and Milfoil growth with Brad Bluemer; and the Task Force meeting has been cancelled for this month. In Waterways, clean-up continues at boat launches and bathrooms; the remainder of the buoys are being placed in Priest Lake; the parks are being weed-whacked; a dead electrical line at Bonner Park West is being removed; a navigation light at Whiskey Rock is reported out and will be checked; paving of the parking lot at Coolin begins next Tuesday; the Bonner Park West launch is open and the Waterways Advisory Board will meet July 21, 2011 at 9:00 a.m.

- 2) Discussion/Decision Regarding Acceptance of Sick Leave Hours to the Sick Bank from Retiree Jay Smith.

Commissioner Nielsen made a motion to approve the acceptance of 240 sick leave hours into the Sick Bank from retiree, Jay Smith. Commissioner Razor seconded the motion. All in favor. The motion passed.

- 3) Discussion/Decision Regarding CPI Increase for Rural Collection-Waste Management.

Commissioner Razor made a motion to approve the new CPI fee for rural collection for the contract year in the amount of \$32,347.23, and authorize the Chairman to sign administratively. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

Director Marshall also presented a Memorandum of Understanding with Schweitzer Mountain which will be on the Agenda for discussion in the future.

ROAD & BRIDGE – Ryan Luttmann

Commissioner Rich read a thank you letter to Bonner County for Ryan Luttmann's and the Bonner County Road & Bridge Staff and Bob Howard's assistance with flooding issues on the writer's property.

- 1) Updates on Staff, Road Districts and Projects.

Director Ryan Luttmann presented updates on staff, road districts and projects as follows: Mowing is ongoing in all three Districts; ditching, brushing, fabric, base and 3/4-inch rock are being done on Otts Basin Road in District 1; in District 2 the east end of Wrenco Loop is being prepped for gravel placement, brushing and light ditching; District 3 is doing road stabilization, pit reclamation at Grouse Creek, grading on W. Bronx and Boyer prior to paving and flagging for the patch crew; the Construction Crew is paving W. Bronx Road, doing chipseal at Nordman, Oldtown, Dufort, Cocollala Loop and Colburn-Culver; crack sealing is on hold due to the warm weather and the patching crew will be incorporated into the chipseal crew. Regarding FEMA, the final corrections on the PWs are being worked

through this week; additional information is expected on the FHWA (Federal Highways)/ITD project and ARRA had two projects go to bid last week and the engineer is reviewing the bids to prepare a recommendation.

Items 2), 3), and 4) were addressed in one motion. See notes below:

- 2) Discussion/Decision regarding Advertisement for Bids (FEMA #JQC001C).
- 3) Discussion/Decision regarding Advertisement for Bids (FEMA #JQC004C).
- 4) Discussion/Decision regarding Advertisement for Bids (FEMA #JQC005C).

Director Luttmann advised that these three projects do not have any environmental concerns and with the bidding in place, once the FEMA monies are released, the bid can be awarded.

Commissioner Razor made a motion to approve the advertisement for bids for projects JQC001C, JQC004DC and JQC005C and authorize the Chairman to sign administratively. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

- 5) Discussion/Decision regarding Variance Request V11-0601-1 (G. Bates).

Steve Klatt and Gordon Bates were present to give their perspectives on this matter.

Gordon Bates, Staff Engineer for Bonner County Public Works, advised that this variance is a request for a driveway variance regarding Irene's Meadow, File No. S1670-10, specifically Condition of Approval B-3 for that plat. The variance request is to allow for the existing driveway to enter the roadway at a skewed angle rather than an 80 or 90 degree intersection as set forth in the Bonner County Road & Bridge Required Standards. The grade and radius of the driveway do appear to meet standards; the alignment is the concern here. Bonner County Public Works does not support the request for this variance from road standards.

Steve Klatt, appearing on behalf of the applicant Irene Michaels, gave a brief history of the property and the driveway that has existed "as is" for over 10 years. This is a single family home which will not attract a large amount of traffic and bringing the driveway into compliance would create a great hardship for Ms. Michaels. Mr. Klatt summarized that the variance request is based on the hardship issues involved in changing the angle of the road.

Planning and Zoning Director Clare Marley confirmed this was a long-standing violation and had been discussed with the original owner, who walked away from the parcel.

Director of Road & Bridge Ryan Luttmann summarized that what was being asked for today is to review the variance request that is on a public right-of-way and what brought the matter to this point. Director Luttmann advised, in his assessment of the issue, the applicant would have a financial hardship; however, it could be minimal.

After a lengthy discussion Steve Klatt suggested the matter be continued for one week allowing time for Mr. Klatt and Mr. Bates to go out and look at the most practical solution to the problem; Mr. Klatt can then discuss it with his client to see if a practical solution would be acceptable. If a practical solution cannot be found, the discussion can continue next week.

Commissioner Nielsen made a motion to table this matter for one week. Commissioner Razor seconded the motion. All in favor. The motion passed

EMERGENCY MANAGEMENT – Bob Howard

- 1) Updates on Staff, Projects and Department.

Director Bob Howard advised he visited the Health District last week for the "TAR" Technical Annual Review of the Department of Health and Welfare to educate the Health and Welfare Department on the type of collaboration

and partnering Bonner County has with the Health District, for their annual review. Director Howard also reported on the Ponderay Rotary meeting where he was the guest speaker and gave a presentation on emergency management; last Friday was the emergency management workshop with the Bureau of Homeland Security. The Emergency Management Performance Grant has more requirements to be eligible to receive the funds, including Director Howard's participation in the exercises, hosting one exercise and taking online training.

Director Howard presented a draft of the NIMS training guide and Commissioner Nielsen discussed the suggested changes in the guide/requirements. Director Howard will make the modifications and bring the guide back for sign-off by the Commissioners.

Director Howard also discussed the Emergency Food and Shelter Program, which Director Howard chairs, reporting another allotment will be received of approximately \$25,000 which is \$5,000 less than last year. Pursuant to the grant guidance, Director Howard will advertise for recipients in the newspaper.

PLANNING & ZONING – Clare Marley

- 1) Discussion/Decision Regarding Time Extension Request, File SS1435-06 - Gooding Subdivision.

Commissioner Rasor made a motion to approve the time extension request for File SS1435-06, Gooding Subdivision to July 11, 2013. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

- 2) Discussion/Decision Regarding Time Extension Request, Files C903-08 & S1559-08 – Namaste Estates PUD.

Commissioner Rasor made a motion to request the petitioner to bring this matter, File C903-08 and S1559-08, Namaste Estates PUC, back before the Board of Commissioners at the appropriate time in 2012. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

- 3) Department Updates.

Director Clare Marley presented departmental updates as follows: Due to the Court schedules the Planning & Zoning Commission will be meeting in the Commissioners meeting room (Room 338) rather than downstairs; and the Planning & Zoning Commission will be delaying its starting time for tonight's meeting to one-half hour later so the room can be cleared and set up. Director Marley also advised that permits are getting caught up; Director Marley will be out of the office next week for the Flood Plain workshop in Post Falls, as both a participant and a presenter.

SHERIFF'S DEPARTMENT – Daryl Wheeler

Bonner County Sheriff Daryl Wheeler presented the Commissioners with the 2010 Annual Report.

- 1) Discussion/Decision Regarding Notice to Call for Bids for Command Post Vehicle.

Commissioner Nielsen made a motion to approve the request to call for bids for the 2011 Command/Communications Center. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 2) Executive Session under Idaho Code §67-2345(A) Personnel/Contracts.

At 9:50 a.m. Commissioner Rasor made a motion to enter into an Executive Session under Idaho Code §67-2345(A) Personnel/Contracts and Consideration of Impact on the Juvenile Detention Center with Sheriff Daryl Wheeler. Commissioner Nielsen seconded the motion. All in favor. Roll Call: Commissioner Rich, Aye; Commissioner Nielsen, Aye; Commissioner Rasor, Aye. The motion passed.

At 10:10 a.m. Commissioner Rasor made a motion to adjourn the Executive Session and reconvene the regular business meeting. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

Sheriff Wheeler also voiced his concerns about the proposed road off Samuelson, which will go right through the garden and would be used by the general public.

JUVENILE JUSTICE – Debbie Stallcup

- 1) Discussion/Decision Regarding Letter to the City of Sandpoint Regarding Sidewalks.

Commissioner Nielsen made a motion to approve the letter dated July 18, 2011 to Mayor Hellar, enclosing a warrant for \$50,000 to begin the bid process for the installation of sidewalks, with the understanding that the total cost for such installation shall not exceed \$70,000 without further discussion; and moved to authorize the Chairman to sign administratively. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 2) Discussion/Decision Regarding Telecom Grant Funding.

Commissioner Rasor made a motion to authorize the Mini-Grant Application for video arraignment equipment in the amount of \$9,192 for the Bonner County Juvenile Justice Center, and authorize the Chairman to sign administratively. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

EMS – Rob Wakeley

- 1) Update on Staff, Department, Calls and Projects.

Chief Rob Wakeley presented updates on staff, the department, calls and projects as follows: Bonner County owns an old red ambulance that is not functional which is worth \$3000 to \$5000. Rather than dispose of the vehicle, Chief Wakeley would like to sell it to Newport Ambulance for \$2000 which, although at a reduced price. Newport Ambulance will recommission the ambulance, making another ambulance available in the system, to the benefit of Bonner County as well as Pend Oreille County, Washington. Chief Wakeley will discuss the most appropriate disposition process for putting the ambulance into the Newport District with legal, and report back to the Commissioners.

- 2) Executive Session under Idaho Code §67-2345(A) **Hiring/Contracts.**

At 10:30 a.m. Commissioner Rasor made a motion to enter into an Executive Session under Idaho Code §67-2345(A) **Hiring/Contracts** with Chief Rob Wakeley and Chief Robert Webber. Commissioner Nielsen seconded the motion. All in favor. Roll Call: Commissioner Nielsen, Aye; Commissioner Rich, Aye; Commissioner Rasor, Aye. The motion passed.

At 10:50 a.m. Commissioner Rasor made a motion to adjourn the Executive Session and reconvene the regular business meeting. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

Commissioner Rasor made a motion to recess for lunch. Commissioner Nielsen seconded the motion. Chairman Rich suggested they proceed with 911 Dispatch prior to taking a lunch break. Commissioner Rasor rescinded his motion; Commissioner Nielsen rescinded his second.

911 DISPATCH – Marcus Robbins

- 1) Updates on Staff, Department, Calls and Projects:
- 2) E-911 Updates

Director Marcus Robbins presented updates on staff, the department, calls and projects as follows: Work to complete the IBCC Grant is ongoing; interviewing of applicants continues; EMS is testing the Priest River repeater; Clark Fork is scheduled for work this week along with testing on VHF; GANS have been signed and sent to vendor.

Director Robbins requested an Executive Session under Idaho Code §67-2345(B) **Personnel/Hiring.**

At 11:00 a.m. Commissioner Rasor made a motion to enter into an Executive Session under Idaho Code §67-2345(B) Personnel/Hiring with Marcus Robbins. Commissioner Nielsen seconded the motion. All in favor. Commissioner Nielsen, Aye; Commissioner Rich, Aye; Commissioner Rasor, Aye. The motion passed.

At 11:12 a.m. Commissioner Rasor made a motion to adjourn the Executive Session and reconvene the regular business meeting. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

PERSONNEL – Pam Allen

1) Recruitment, New Hires, Change of Status.

Personnel Director Pam Allen presented the following:

- ♣ New Hire: Temporary Bailiff to work fulltime for building security while the Court system is located in the Administration Building
- ♣ Assessor's Office: Replacement employee
- ♣ Jail Nurse to fill a position that was vacated via resignation
- ♣ Detention Deputy to replace an employee who left
- ♣ CAD Mapping Project, temporary employee
- ♣ Two Part-time Fair Helper positions (seasonal)
- ♣ Promotion in Road & Bridge Department – Change of Status Sheet

Commissioner Rasor made a motion to approve the New Hire/Change of Status, with the proviso that some of the positions may be pending confirmation of funding. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

Director Allen also requested permission to post the position of Probation Officer for Adult Misdemeanor and Justice Services. Director Allen confirmed the position was open and was funded.

Commissioner Rasor made a motion to approve the posting of the position of Probation Officer for Adult Misdemeanor and Justice Services. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

Director Allen also updated the Commissioners on responses to limiting smoking to an area 20 feet from the building and eventually becoming a smoke-free campus. There was discussion regarding the ashtrays set up by areas of ingress and egress and the Commissioners concluded that these ashtrays should remain to allow smokers to put out their smoking materials before entering the Administration Building. There was agreement that there needed to be a designated area, 20 feet from the building, available to smokers. The Commissioners agreed to turn the matter over to Ed Buzbee to research and review solutions from other businesses in Bonner County, as well as any other resources and come back to the Board with suggestions for a workable resolution of the smoking issue at the Administration Building. Additionally, official signage needs to be installed informing the public that smoking is not allowed within 20 feet of the building.

Director Allen advised that PERSI is holding a workshop next week regarding retirement benefits and she has signed up for the July 26, 2011 all-day training.

2) Director Allen then requested an Executive Session under Idaho Code §67-2345(B) Personnel/Employee Performance and Compensation.

At 11:25 a.m. Commissioner Rasor made a motion to enter into an Executive Session under Idaho Code §67-2345(B) Personnel/Employee Performance and Compensation with Pam Allen. Commissioner Nielsen seconded the motion. All in favor. Commissioner Nielsen, Aye; Commissioner Rich, Aye; Commissioner Rasor, Aye. The motion passed.

At 11:35 a.m. Commissioner Rasor made a motion to adjourn the Executive Session and reconvene the regular business meeting. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

Commissioner Nielsen made a motion to approve the nomination of Missy Seck by Judge Verby for the Employee Recognition Award. Commissioner Rasor seconded the motion. All in favor. The motion passed.

Director Allen brought some changes to the Employee Recognition Award nomination form to the Commissioners attention: the monetary award should be "not to exceed" \$250 per event; the County is not responsible to withhold taxes from the award; and a line should be added to the award setting forth the amount of the award.

Commissioner Rasor made a motion to accept the proposed changes as outlined by Ms. Allen, on the nomination form for the Employee Recognition Award. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

At 11:45 a.m. Commissioner Rasor made a motion to recess the meeting until after the 12:30 p.m. LCA meeting. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

At 1:30 p.m. Commissioner Rasor made a motion to reconvene the regular business meeting. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

MISCELLANEOUS BUSINESS

Miscellaneous Items were discussed in the order set forth below:

- 2) Discussion/Decision Regarding Ratification Authorizing Immediate Construction of Inmate Holding Cells and Security at the Bonner County Administration Building.

Commissioner Rasor made a motion to ratify the authorization to immediately construct inmate holding cells and other infrastructure at the Bonner County Administration Building, Ginno Construction, Project No. 1190, in the amount of \$38,083. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

- 3) Discussion/Decision Regarding Payment for Services for RFP Review.

Commissioner Nielsen made a motion to approve payment for services for RFP review by Leonard S. Schulte, CPA in the amount of \$200, dated July 1, 2011. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 1) Discussion/Decision Regarding Disposal of Records that are over Ten (10) Years Old and No Longer needed at the Assessor's Office – Resolution.

Assessor Jerry Clemons advised the Commissioners that a Bonner County employee was interested in purchasing one item on the list, a Hewlett Packard plotter. After a discussion, the Commissioners suggested that Mr. Clemons send out an e-mail to all County employees asking for a written bid to purchase the equipment, if interested.

Commissioner Nielsen made a motion to approve Resolution No. 11-64 authorizing the disposal of records that are over ten years old and no longer required by the Assessor's Office, but for the plotter which will be open for bids as set forth above. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 4) Discussion/Decision Regarding Payment to J & R Electronics for Moving the Communications Equipment from the Courthouse.

Commissioner Nielsen made a motion to approve Estimate No. 372 in the amount of \$21,681 to J & R Electronics for moving the communications equipment from the Bonner County Courthouse. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 5) Discussion/Decision Regarding Invoice #0006002 to LCA Architects, P.A. for Bonner County Administration Bldg. 1st Floor.

Commissioner Nielsen made a motion to approve payment of Invoice #0006002 to LCA Architects for services on the Bonner County Administration Building, First Floor remodel, in the amount of \$700.77. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 6) Discussion/Decision Regarding Invoice #0006005 to LCA Architects, P.A for Bonner County Courthouse Remodel- Phase 1.

Commissioner Rasor made a motion to approve payment of Invoice #0006005 to LCA Architects for services rendered on the Bonner County Courthouse Remodel, Phase I, in the amount of \$53,584.63. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

PERSONNEL CONTINUED

- 3) Executive Session with the Prosecuting Attorney under Idaho Code §67-2345(B) Personnel/Hiring.

At 2:00 p.m. Commissioner Rasor made a motion to enter into an Executive Session under Idaho Code §67-2345(B) Personnel/Potential Hiring (Discussion) with Prosecuting Attorney Scott Bauer. Commissioner Nielsen seconded the motion. All in favor. Roll Call: Commissioner Nielsen, Aye; Commissioner Rich, Aye; Commissioner Rasor, Aye. The motion passed.

At 2:30 p.m. Commissioner Rasor made a motion to adjourn the Executive Session and return to the regular business meeting, and moved to adjourn the regular business meeting. Commissioner Nielsen seconded the motions All in favor. The motions passed.

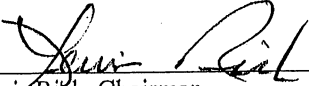
On Wednesday, July 13, 2011, Treasurer Cheryl Piehl met with the Board to discuss the following files: **Approved:** RP56N02W136775A (2010), RPS36230020210A (2011-2010), RP55N05W173900A (2009-2005), RP55N05W173900A (2010-2011), MHP0350010021AA (2010-2005), RPP0350010021AA (2010-2006), RP56N03W229051A (2011-2010), RPS056200A000BA (2010), RP57N02W177281A (2010), RP005550010020A (2010), RPP36990010030A (2010), RPS38070000040A (2010), MHS36740000150A (2010-2009), RP56N03W035260A (2011), RP56N03W340001A (2010), RP55N06W135400A (2010), RP56N03W036900A (2011) and RP55N01W059402A (2011). **Denied:** OC005450020060T (2010).

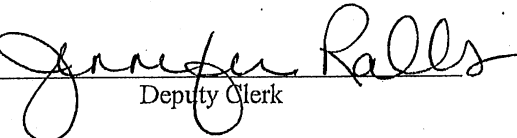
On July 13, 2011 at 2:00 p.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) with the Bonner County Commissioners and the Water Resources Department regarding water adjudication.

On Monday, July 18, 2011 at 10:00 a.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) with the Bonner County Commissioners and with Kootenai EMS.

On Monday, July 18, 2011 at 2:30 p.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) with the Bonner County Commissioners and Ginno Construction and LCA regarding the Bonner County Courthouse.

ATTEST: Marie Scott, County Clerk


Lewis Rich, Chairman

By 
Deputy Clerk