

Bonner County

Board of Commissioners

Lewis Rich

Cornel Rasor

Mike Nielsen

MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

October 11, 2011 - 8:45 AM

Bonner County Administration Bldg.

Third Floor Conference Room

1500 Hwy 2, Suite 308, Sandpoint, ID

On Tuesday, October 11, 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 8:45 a.m.

INVOCATION

John Pomeroy from the Sandpoint Church of God presented the Invocation.

PLEDGE OF ALLEGIANCE

ADOPT ORDER OF THE AGENDA

Chairman Rich advised of the following changes to the Agenda:

- 1) Add Solid Waste Item #2 - Discussion/Decision Regarding Easement and Construction Agreement
- 2) Miscellaneous Add Item #6 Discussion/Decision Regarding the Property Rights Council Update

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

MEETING UPDATES

Commissioner Rasor: Commissioner Rasor attended an EMS Advisory Board meeting commenting on the refrigerator magnet that has been distributed; Sagle One will have a paramedic in approximately 3 weeks; and the Careywood Station is about a year out from completion.

Commissioner Nielsen: Commissioner Nielsen attended a Priest Lake Groomer meeting last Friday and provided the following updates:

- Authorization was made for the necessary repairs to both of the CAT's
- A website has been developed in conjunction with Priest Lake Chamber
- Idaho Parks and Recreation is looking to go paperless with their sticker program and there will be a meeting in Coeur d'Alene on October 28th to further discuss with representatives from the State
- Working on installing a new fuel system

- Created a Groomer strategy prioritizing trails on a 1 to 4 scale (1 - groomed once a week, 2 - groomed on 3-day weekends only, 3 – groomed every other lap around the lake; and 4 - groomed once a month) and developed a dollar price if a resort wants an area groomed.

Commissioner Rich: Commissioner Rich attended the first meeting of the Bonner County Property Rights Council and stated that there are a few situations to sort out and over all it was a very interesting meeting.

CONSENT AGENDA

- 1) Approval of Bonner County Commissioners' Minutes for 8/30/11 and 9/06/11

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

MISCELLANEOUS BUSINESS

- 6) Discussion/Decision Regarding Property Rights Council Update

Tom Clark, Chairman for the Bonner County Property Rights Council was present to provide an update on their first meeting. He stated that the council has taken under consideration 2 issues; 1) review of a watershed ordinance and 2) a case between Jack and Jill Barron with the US forest service. The council made a motion to form a committee to coordinate with the proper department for these cases. A request was made to the BOCC to assist with creating a liaison with the Planning Department; and to consider and accept the recently created PRC website. Commissioner Nielsen recommended that some changes to the website occur prior to going live.

Commissioner Rasor made a motion to approve moving forward with the Planning Department in a joint committee form to study the watershed issue and the EPA issue with Jack and Jill Baron. 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 and general updates for Solid Waste; Weeds, and Waterways – Parks and Recreation.

- 2) Discussion/Decision Regarding Easement and Construction Agreement with Northern Lights

Commissioner Nielsen made a motion to approve the Northern Lights easement for power to the new Solid Waste station and authorized the Chair to sign administratively. Commissioner Rasor seconded the motion. All in favor. The motion passed.

Commissioner Nielsen made a motion to approve the Northern Lights construction fee contract and authorized the Chair to sign administratively. Commissioner Rasor seconded the motion. All in favor. The motion passed.

ROAD & BRIDGE – Ryan Luttmann

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

Director Ryan Luttmann presented general updates for District 1; District 2; and District 3.

- 2) Update on the 3rd Quarter Report on the Estate of Harpster F. Turnbull

Director Luttmann did not have an update however the Commissioners wanted to express “kudos” to the Director and the Road and Bridge Department for a job well done in prepping the road and expediting the process.

- 3) Discussion/Decision Regarding Lightning Creek Road Work Change Directive No. 2

Commissioner Nielsen made a motion to approve the Lightning Creek Road Work Change Directive No.2 in the amount of \$2,006.85 and allow the Chair to sign administratively. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 4) Discussion/Decision Regarding Quartz-Cottonwood Road Work Change Directive No. 2

Commissioner Nielsen made a motion to approve the Quartz-Cottonwood Road Work Change Directive No.2 and allow the Chair to sign administratively. Commissioner Rasor seconded the motion. All in favor. The motion passed.

EMERGENCY MANAGEMENT – Bob Howard

- 1) Updates on Staff, Projects and Department.

Director Bob Howard presented updates on staff, projects and the department as follows:

- Information from Western States regarding the current capacity and usage for our emergency generator will be received later today
- The LEPC meeting will be held at the Panhandle Health District on Thursday
- Director Howard plans to attend EOC Management training in Moscow, ID the week of October 24th
- Working on a proposal for employees NIMS training to be completed within 6 months for the on-line training and one year for the classroom training

PROSECUTOR’S OFFICE – Larry Goins

- 1) Discussion/Decision Regarding Mutual Exchange of Easements at the Prosecutor’s Office and the Adjacent Property Owner to the East, JBW Properties - **Quit Claim Deed and Resolution**

Commissioner Nielsen made a motion to approve Resolution #11-99 exchanging mutual easements and revoking mutual easements with JBW Properties and Bonner County. Commissioner Rasor seconded the motion. All in favor. The motion passed.

PLANNING & ZONING – Clare Marley

- 1) Discussion/Decision Regarding Time Extension Request, File SS1538-07 – Garding Acres, Preliminary Plat

Commissioner Nielsen made a motion to approve the time extension request for File SS1538-07 for Garding Acres, Preliminary Plat. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 2) Discussion/Decision Regarding Final Plat, Joshua’s Ridge, File #SS1404-06

Commissioner Rasor made a motion to approve final plat for Joshua’s Ridge, File SS1404-06; pending signature by the owner of the CCR’s, and allow the Chair to sign administratively. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

- 3) Discussion/Decision Regarding Time Extension Request, File SM921-06 – Creekside at Stoneridge, Preliminary Plat, Surety Agreement of Improvements

Commissioner Nielsen made a motion to table File SM921-06 - Creekside at Stoneridge, Preliminary Plat, Surety Agreement of Improvements. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 4) Department Updates

Director Marley provided the following updates stating that she will be out of the office Wednesday through Friday for annual conference in Moscow, ID and has placed a sign on the door notifying the public.

MISCELLANEOUS BUSINESS CONTINUED

- 1) Discussion/Decision Regarding Treasury Appropriation Regarding Bonner County Courthouse Moving Funds from Current Expense to Building Construction Fund - **Resolution**

Commissioner Rasor made a motion to approve Resolution #11-100, Treasury Appropriation moving \$300,000 from current expense to building construction fund for the courthouse. Commissioner Nielsen seconded the motion. All in favor. The motion passed

- 2) Discussion/Decision Regarding Change Request # 64 to Cover Miscellaneous Demolition and Initial Tenting for Weatherization, Job 10-10 Bonner County Courthouse TI

Commissioner Rasor made a motion to approve Change Request #64 in the amount of \$300,000 and authorize the Chair to sign administratively. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

At 9:26 a.m. Commissioner Nielsen made a motion to take a recess. Commissioner Rasor seconded the motion. All in favor. The motion passed.

At 9:34 a.m. Commissioner Rasor made a motion to reconvene. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

BUILDINGS AND GROUNDS – Ed Buzbee

- 1) Discussion/Decision Regarding Proposed ADA Compliance Design

Commissioner Rasor made a motion to authorize Ed Buzbee to put the proposed ADA compliance design out to bid and verify with legal. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

PERSONNEL – Pam Allen

- 1) Recruitment, New Hires, Change of Status, Separation Update

Director Pam Allen provided a separation update on 2 employees that retired.

- 2) Discussion/Decision Regarding Delta Dental of Idaho Contract

Commissioner Rasor made a motion to approve the Delta Dental of Idaho contract. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

3) Discussion/Decision Regarding AFLAC Payroll Account Acknowledgement

Commissioner Rasor made a motion to approve the AFLAC Payroll Account Acknowledgement directing HR to fill in the rest of the information on paragraph 4 of Page 3. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

4) Discussion/Decision Regarding Wellness Program Participant Contribution

Commissioner Nielsen made a motion to direct HR to send out an email to county employees in the format as presented to the Board along with the attachments as discussed, and for HR to keep a file copy. Commissioner Rasor seconded the motion. All in favor. The motion passed.

SANDPOINT AIRPORT – Chris Popov

1) Discussion/Decision Regarding Selection of Airport Manager from RFQ

Commissioner Rasor made a motion to renew the contract with David Schuck of Pioneer. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

2) Discussion/Decision Regarding Resigning the Airport Layout Plan

No motion was need as this item was previously presented to the Board, approved and signed; however the FAA did not accept the previous signed forms and requested a newly signed document in triplicate.

EMS – Rob Wakeley

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

Chief Rob Wakeley discussed the distribution of refrigerator magnets which was funded by a state rural health grant. The goal is to have them in 50% of households in the county.

2) Discussion/Decision Regarding MOU between Kootenai County Emergency Medical Services System and Bonner County Emergency Medical Services

Commissioner Nielsen made a motion to approve the MOU between Kootenai County Emergency Medical Services System and Bonner County Emergency Medical Services regarding Spirit Lake. Commissioner Rasor seconded the motion. All in favor. The motion passed.

Commissioner Rasor made a motion to add to the agenda a MOU between Kootenai County Emergency Medical Services System and Bonner County Emergency Medical Services regarding Timberlake. Commissioner Nielsen seconded the motion. All in favor. The motion passed

3) Discussion/Decision Regarding MOU between Kootenai County Emergency Medical Services System and Bonner County Emergency Medical Services Regarding Timberlake.

Commissioner Nielsen made a motion to approve the MOU between Kootenai County Emergency Medical Services System and Bonner County Emergency Medical Services regarding Timberlake. Commissioner Rasor seconded the motion. All in favor. The motion passed.

PERSONNEL

5) Executive Session Regarding Personnel Policy under Idaho Code §67-2345 (B)

At 10:07 a.m. Commissioner Rasor made a motion to enter into an Executive Session under Idaho Code **§67-2345(B) Personnel/Leave of Absence** with Pam Allen and Rob Wakeley. Commissioner Nielsen seconded the motion. All in favor: Roll Call: Commissioner Nielsen, Yes; Commissioner Rich, Aye; Commissioner Rasor, Aye. The motion passed.

At 10:13 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 authorize the Director of EMS to approve up to 90 days LWOP for Mark Earls from the day of the original request. Commissioner Rasor seconded the motion. All in favor. The motion passed.

MISCELLANEOUS BUSINESS CONTINUED

4) Executive Session Under Idaho Code §67-2345 (A) Hiring/Prosecuting Attorney/Scott Bauer

At 10:16 a.m. Commissioner Rasor made a motion to enter into an Executive Session under Idaho Code **§67-2345(B) Personnel/Possible Mediation** with Scott Bauer. Commissioner Nielsen seconded the motion. All in favor: Roll Call: Commissioner Nielsen, Yes; Commissioner Rich, Aye; Commissioner Rasor, Aye. The motion passed.

At 10:22 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 appoint Cornel Rasor as Chairman. Commissioner Rasor seconded the motion. All in favor. The motion passed.

Commissioner Rich stated that he viewed this removal from the Chairmanship as punitive and stated that he intended to step down from the Chair at the end of this calendar year for the upcoming election; and will now proceed with legal council as he feels that he was not given a choice by what has been done.

Commissioner Rasor stated that this was not a punitive action on his part, that this was a method to allow for a breather until mediation is over and that he is simply looking for a new direction.

Commissioner Nielsen stated that the reason for this motion was not punitive as he is only looking for a change in directions.

Commissioner Nielsen made a motion that the Board approves funding for mediation if the Board so decides and stated that the decision is voluntary. Commissioner Rich seconded the motion. All in favor. The motion passed.

There being no further business to come before the meeting, at 10:46 a.m. Commissioner Nielsen made a motion to adjourn the business meeting. Commissioner Rich seconded the motion. All in favor. The motion passed.

On Wednesday, October 5, 2011, Treasurer Cheryl Piehl met with the Board to discuss the following files:
Approved: MH014010000100T 2005-2006; MH02829000011AT 2008-2009; PPS90190000001T 2008;
PPTMP20050004T 2005-2007; PPTMP20060045T 2007; RPN0287015001CA 2011; PP54N03W344050A 2011.

On Wednesday, October 5, 2011, Assistance Director Kevin Rothenberger met with the Board to discuss the following files: **Approved:** 2011-305. **Denied:** 2011-260 Appealed Case; 2011-288; 2011-290; 2011-291

On Tuesday, October 11, 2011 at 1:30 an Executive Session was held pursuant to Idaho Code §67-2343(F) regarding pending litigation.

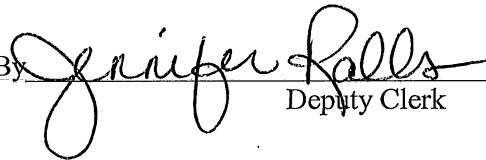
Commissioner Nielsen made a motion refer this issue and report to the Property Rights Council, and Road and Bridge for action. Commissioner Rich seconded the motion. All in favor. The motion passed.

On Tuesday, October 11, 2011 at 2:30 a Special Meeting was held pursuant to Idaho Code §67-2343(2) to meet with Teltronics.

ATTEST: Marie Scott, County Clerk



Cornel Rasor, Chairman

By 
Deputy Clerk