

Bonner County

Board of Commissioners

Lewis Rich Cornel Rasor Mike Nielsen

MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

October 25, 2011 - 8:45 AM
Bonner County Administration Bldg.
Third Floor Conference Room
1500 Hwy 2, Suite 308, Sandpoint, ID

On Tuesday, October 25, 2011 the Bonner County Commissioners met for their regularly scheduled meeting with all three Commissioners present.

CALL TO ORDER

Chairman Cornel Rasor called the meeting to order at 8:45 a.m.

INVOCATION

Harvey Rifle from the Evangelical Free Church presented the Invocation.

PLEDGE OF ALLEGIANCE

ADOPT ORDER OF THE AGENDA

Chairman Rasor advised of the following changes to the Agenda:

- 1) Remove item #2 from Consent agenda
- 2) Add item #7 under Planning and Zoning - Executive Session

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

MEETING UPDATES

Commissioner Rich: Commissioner Rich provided an update from attending the Kootenai Valley Resource Initiative.

Commissioner Nielsen: Commissioner Nielsen provided general updates for attending a Waterways Advisory Board meeting and a Priest Lake River Association meeting.

Commissioner Rasor: Commissioner Rasor provided updates for the AISTF meeting, and a city council meeting he attended.

CONSENT AGENDA

- 1) Liquor Licenses: Pend Oreille Pasta, Ponderay; Golden Dragon, Ponderay; Dover Bay Café, Dover
- 3) Board of Commissioners Meeting Minutes for Planning & Zoning on 8/24/11, and 9/7/11

Commissioner Nielsen would like legal to respond regarding the liquor license forms the Commissioners are expected to sign as they do not have signatures of the applicant or clerk.

Commissioner Rich 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 provided general updates for Solid Waste; Weeds; and Waterways – Parks & Recreation.

- 2) Discussion/Decision Regarding CPI for Waste Management Disposal/Transportation Agreement

Commissioner Rich made a motion to approve the fee increase and allow the Chair to sign administratively. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

- 3) Discussion/Decision Regarding Solid Waste Disposal Fees - **Resolution**

Commissioner Nielsen made a motion to approve Resolution #11-105 for Solid Waste Disposal Fees. Commissioner Rich seconded the motion. All in favor. The motion passed.

- 4) Discussion/Decision Formation of a Solid Waste Citizens Committee to Review the Future of a Transfer Site in the Southern End of the County - **Resolution**

Commissioner Nielsen made a motion to approve Resolution #11-106 for the formation of a Solid Waste Citizens Committee to review the future of a transfer site in the southern end of the county. Commissioner Rich seconded the motion. All in favor. The motion passed.

- 5) Discussion/Decision Acceptance of Sick Leave Hours to the Sick Bank

Commissioner Rich made a motion to approve the donation of sick bank hours from Cathie Klopfenstein in the amount of 70.75 hours. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

- 6) Discussion/Decision Appoint Jamie Brunner to the Aquatic Invasive Species Task Force to Replace Jim Brady – **Resolution**

Commissioner Rich made a motion to approve Resolution #11-107 to appoint Jamie Brunner to the Aquatic Invasive Species Task Force to replace Jim Brady. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

- 7) Discussion/Decision Reappoint Chuck Bauer, Keith Sheckler and Cary Kelly to the Waterways Advisory Board - **Resolution**

Commissioner Nielsen made a motion to approve Resolution #11-108 reappointment of Charles Bauer, Keith Sheckler and Cary Kelly to the Waterways Advisory Board. Commissioner Rich seconded the motion. All in favor. The motion passed.

ROAD & BRIDGE – Ryan Luttmann

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

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

2) Discussion/Decision Regarding ARRA No. 10-RO-110182B1-028 Reimbursement #16

Commissioner Rich made a motion to approve the reimbursement request for ARRA No. 10-RO-110182B1-028 in the amount of \$42,224.53 and allow the Chair to sign administratively. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

PLANNING & ZONING – Clare Marley

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

After a length discussion this item was tabled to next week.

2) Discussion/Decision Regarding Time Extension Request, File SS1510-07 – Winter Creek, Preliminary Plat

Commissioner Rich made a motion to approve a 2 year final time extension request for file SS1510-07, Winter Creek preliminary plat. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

3) Discussion/Decision Regarding Time Extension Request, File S1485-07 – Greyhawk, Preliminary Plat

Commissioner Rich made a motion to approve a 2 year final time extension request for file S1485-07, Greyhawk, preliminary plat. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

4) Discussion/Decision Regarding Time Extension Request, File S1596-08 – Kalispell Rock Subdivision, Preliminary Plat

Commissioner Rich made a motion to approve a 2 year time extension request, for file S1596-08, Kalispell Rock Subdivision, preliminary plat. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

5) Discussion/Decision Regarding Final Plat Approval, File SS1689-11 – Simmons Meadows

Director Clare Marley requested to table this item as it did not come in with the Health District approval.

Commissioner Rich made a motion to table final plat approval of file SS1689-11, Simmons Meadows. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

At 9:37 a.m. Commissioner Nielsen made a motion to enter into an Executive Session under Idaho Code **§67-2345(F) Litigation/Pending Court Cases** with Clare Marley, Cheryl Piehl, and Larry Goins. Commissioner Rich seconded the motion. All in favor: Roll Call: Commissioner Nielsen, Yes; Commissioner Rich, Aye; Commissioner Rasor, Aye. The motion passed.

At 9:47 a.m. Commissioner Rich 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.

JUSTICE SERVICES – Debbie Stallcup

1) Discussion/Decision Regarding Agreement for Building the Detention Center Community Service Shop

Commissioner Rich made a motion to approve the agreement for building the Detention Center Community Service Shop subject to legal review. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

SHERIFF'S DEPARTMENT – Sheriff Daryl Wheeler

- 1) Discussion/Decision Regarding Contracts with Océ North America Inc. to Lease Various Copiers

Commissioner Nielsen made a motion to approve the Océ North America/GreatAmerica Leasing Corporation contracts to lease various copiers and authorize the Chair to sign administratively. Commissioner Rich seconded the motion. All in favor. The motion passed.

Commissioner Rich requested to move Miscellaneous item #7 to the next order of business.

MISCELLANEOUS BUSINESS

- 7) Discussion/Decision Regarding Amendment to the Annexation of the Martin Property in the Sam Owen Fire District

Commissioner Rich made a motion to approve the amendment to the Annexation of the Martin Property in the Sam Owen Fire District. 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 provided updates stating that operations in Sagle have begun; the foundation has been laid for the new house; and the house is expected to be delivered in couple of weeks.

- 2) Discussion/Decision Regarding MOU Between Bonner County EMS and Kootenai County for 700 MHz Subscriber Unit

Commissioner Rich made a motion to approve the MOU between Bonner County EMS and Kootenai County regarding the 700 MHz radios. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

Commissioner Nielsen made a motion to add executive session item #6 under Personnel for EMS. Commissioner Rich seconded the motion. All in favor. The motion passed.

PERSONNEL – Pam Allen

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

Director Pam Allen discussed new hire updates for the Clerk's office.

- 2) Discussion/Decision Regarding Emergency Medical Services Training Coordinator Position

Commissioner Rich made a motion to approve the job description change for the training coordinator position. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

- 3) Discussion/Decision Regarding Workers Compensation Self-Insurance Application

Commissioner Nielsen made a motion to approve the Midwest Employees workers compensation self-insurance application including corrections as noted in the discussion. Commissioner Rich seconded the motion. All in favor. The motion passed.

4) Discussion/Decision Regarding Posting of the Crime Victim Advocate Position in the Prosecutor's Office

Commissioner Nielsen made a motion to authorize the advertising of the Crime Victim Advocate position in the prosecutor's office. Commissioner Rich seconded the motion. All in favor. The motion passed.

Director Pam Allen requested a discussion of another item that came about since the agenda posted, the juvenile tech position just came open and needs to be posted.

Commissioner Rich made a motion to add item #7 to PERSONNEL for the posting of the juvenile tech position. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

7) Discussion/Decision Regarding the Juvenile Tech position

Commissioner Nielsen made a motion to authorize juvenile detention to advertise for a juvenile tech position. Commissioner Rich seconded the motion. All in favor. The motion passed.

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

At 10:58 a.m. Commissioner Rich made a motion to enter into an Executive Session under Idaho Code **§67-2345(A) Hiring/Medical Director Contract** with Pam Allen and Rob Wakeley. Commissioner Nielsen seconded the motion. All in favor: Roll Call: Commissioner Nielsen, Yes; Commissioner Rich, Aye; Commissioner Razor, Aye. The motion passed.

At 11:24 a.m. Commissioner Rich 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.

At 11:30 a.m. Commissioner Rich made a motion to enter into an Executive Session under Idaho Code **§67-2345(F) Litigation/Possible Resolution** with Scott Bauer. Commissioner Nielsen seconded the motion. All in favor: Roll Call: Commissioner Nielsen, Yes; Commissioner Rich, Aye; Commissioner Razor, Aye. The motion passed.

At 11:35 a.m. Commissioner Rich 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.

MISCELLANEOUS BUSINESS CONTINUED

1) Discussion/Decision Regarding LCA Invoice No. 0009050, Project No. 09003.04, Bonner County Courthouse Remodel, Phase 1

Commissioner Rich made a motion to approve the LCA invoice no. 0009050, project no. 09003.04 for Bonner County Courthouse remodel, phase 1. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

2) Discussion/Decision Regarding LCA Change Order No. 21

Commissioner Rich made a motion to approve the LCA Change Order No. 21 and authorize the Chair to sign administratively. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

4) Discussion/Decision Regarding Payment for 2011 Claims in Batch #30

There was a discussion regarding a copier claim. Commissioner Nielsen suggested that there be further discussion to stop purchasing copiers and start leasing to save on costs.

Commissioner Rich made a motion to approve payment for 2011 claims in batch #30. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

3) Discussion/Decision Regarding Personal Services Contract For Veterans' Service Officer

Commissioner Nielsen made a motion to approve the personal services contract for a Veteran's Service Officer in the amount of \$26,084.00. Commissioner Rich seconded the motion. All in favor. The motion passed.

5) Discussion/Decision Regarding Payment for 2011 Claims in EMS Batch #30

Commissioner Rich made a motion to approve the payment for 2011 claims in EMS batch #30. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

6) Discussion/Decision Regarding Payment of Invoice to Masters Touch, LLC, Invoice #O113524 for Tax Survey Insert

Commissioner Rich made a motion to approve the Masters Touch LLC, invoice #O113524 for the tax survey insert in the amount of \$444.00. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

Commissioner Rich moved to reconvene this meeting on Wednesday, October 26, 2011 at 1:30. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

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**CONTINUATION OF
THE BONNER COUNTY
BOARD OF COMMISSIONERS' MEETING
OF TUESDAY, OCTOBER 25, 2011**

October 26, 2011 – 1:30 P.M.
Bonner County Administration Bldg.
1500 Hwy 2, Suite 338, Sandpoint, ID

On Wednesday, October 26, 2011 the Bonner County Commissioners met to reconvene the business meeting from Tuesday, October 25, 2011. All Commissioners were present as well as the Prosecuting Attorney Louis Marshall.

CALL TO ORDER

At 1:30 p.m. Chairman Cornel Razor called the meeting to order advising that this meeting was a continuation of the Tuesday, October 25, 2011 regularly scheduled business meeting for the purposes of discussing several items.

ADOPT ORDER OF THE AGENDA

Chairman Razor advised of the following changes to the Agenda:

- 1) Discussion/Decision Regarding Treasury Appropriation, District Court Fund – Resolution
- 2) Discussion/Decision Regarding Treasury Appropriation, Justice Fund – Resolution
- 3) Discussion/Decision Regarding Rescinding Earlier Motion Made for Justice Services - Building the Detention Center Community Service Shop
- 4) Discussion/Decision Regarding Mediation

Commissioner Rich made a motion to adopt the order of the Agenda as amended. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

- 1) Discussion/Decision Regarding Treasury Appropriation, District Court Fund – Resolution

Commissioner Nielsen made a motion to approve Resolution #11-109, Treasury Appropriation, District Court Fund, fiscal year 2012. Commissioner Rich seconded the motion. All in favor. The motion passed.

- 2) Discussion/Decision/Regarding Treasury Appropriation, Justice Fund – Resolution

Commissioner Nielsen made a motion to approve Resolution #11-110 Treasury Appropriation, Justice Fund, fiscal year 2012 for the Professional Services – Conflict Resolution, Professional Services – 2nd Conflict Resolution, and Professional Services – CASA Conflict Resolution. Commissioner Rich seconded the motion. All in favor. The motion passed.

- 3) Discussion/Decision/Regarding Rescind Motion for Juvenile Detention Center Shop

Commissioner Nielsen discussed the earlier motion to approve the agreement for building the Detention Center Community Service Shop. After speaking with Scott Bauer he feels that it would be better have legal approve the design first and then bring back to the board.

Commissioner Nielsen made a motion to rescind the motion regarding the Juvenile Detention Center Community Shop approved on Tuesday, October 25, 2011. Commissioner Razor voted aye. Commissioner Rich did not agree the motion. All in favor. The motion passed.

- 4) Discussion/Decision Regarding Mediation

Commissioner Rich stated he has a donor that has given him funds to begin mediation process and with the recommendation of the Board is ready to proceed with mediation.

Commissioner Nielsen made a motion that the Board enter into mediation and each appropriate \$100 from whatever source and that no public money is to be used for mediation. Commissioner Rich seconded the motion. All in favor. The motion passed.

There being no further business to come before the meeting, at 1:50 p.m. Commissioner Rich made a motion to adjourn the business meeting. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

On Wednesday, October 19, 2011, Treasurer Cheryl Piehl met with the Board to discuss the following files:
Approved: PPS0500048008AA 2011.

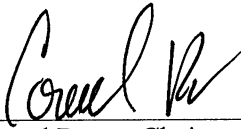
On Wednesday, October 19, 2011, Assistance Director Kevin Rothenberger met with the Board to discuss the following files: **Approved:** 2008-140 Appealed. **Denied:** 2011-141 Appealed; 2011-298.

On Friday, October 21, 2011 at 11:15 a.m. an Executive Session was held pursuant to Idaho Code §67-2345(B) with the Sheriff's Department regarding Personnel.

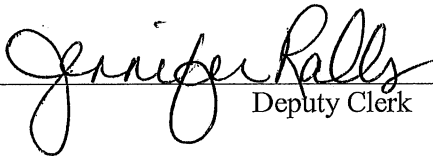
Commissioner Rich made a motion to approve the agreement as presented by the Bonner County Sheriff and allow the Chair to sign administratively. The Chair stepped down and seconded the motion. All in favor. The motion passed.

On Monday, October 24, 2011 at 3:00 p.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) will the Economic Development Corp regarding the University of Idaho.

ATTEST: Marie Scott, County Clerk



Cornel Rasor, Chairman

By  _____
Deputy Clerk