

# Bonner County

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## Board of Commissioners

Lewis Rich

Cornel Rasor

Mike Nielsen

### MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

November 1, 2011 - 8:45 AM  
Bonner County Administration Bldg.  
Third Floor Conference Room  
1500 Hwy 2, Suite 308, Sandpoint, ID

On Tuesday, November 1, 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

Chad Wilkes from the Sandpoint Church of the Nazarene presented the Invocation.

#### PLEDGE OF ALLEGIANCE

#### ADOPT ORDER OF THE AGENDA

Chairman Rasor advised of the following changes to the Agenda:

- 1) Add Approval of Bonner County Commissioners' Minutes for September 13, 2011
- 2) Change to Remove the Sheriff Department Item
- 3) Change to Remove Emergency Management Item #3
- 4) Miscellaneous Item Add #6 Discussion/Decision/Regarding Fiber Optics and Maintenance at the Bank Building
- 5) Miscellaneous Item Add #7 Discussion/Decision/Regarding Sidewalk Repairs/Ed Buzbee
- 6) Miscellaneous Item Add #8 Discussion Regarding Fire Ordinance/Commissioner Rich

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 Nielsen:** Commissioner Nielsen attended the Priest River Airport Advisory Board meeting and provided general updates.

**Commissioner Rasor:** Commissioner Rasor attended the Panhandle Building Contractors meeting and met with contractors to discuss local building issues. Commissioner Rasor met with Ginno Construction regarding the courthouse to discuss various projects still underway.

## **PUBLIC COMMENT**

Dee Miller was present to request that the Board allow discussion groups on any topic around Bonner County and is looking for the Boards approval. She would like to start with a hemp discussion group to round up people who are interested in cultivating hemp, like farmers, to create hemp that is non-cycle active, to utilize hemp for fiber, oils, food and not as it pertains to THC. She wants to get the public involved with public discussion; inform the people and see what they are willing to provide as private citizens.

## **CONSENT AGENDA**

- 1) Liquor Licenses: Hoot Owl Café & Catering Co. Inc, Ponderay; Boondox Bar & Grill, Westmond; Tam O'Shanter, Sandpoint; Fall's Inn, Priest River; Lou's Place, Priest River.
- 2) Board of Commissioners Meeting Minutes for Planning & Zoning on September 28, 2011

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 presented updates on staff, projects and departments with general updates for Solid Waste; Weeds and Waterways – Parks & Recreation.

## **ROAD & BRIDGE – Ryan Luttmann**

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

Director Ryan Luttmann presented updates on staff, road districts and projects with general updates for District 1; District 2; District 3 and FEMA projects.

- 2) Discussion/Decision Regarding Certificate of Substantial Completion for Lightning Creek Road Project

Commissioner Rich made a motion to authorize Ryan Luttmann sign the certificate of substantial completion for the project as discussed. Commissioner Nielsen seconded the motion. All in favor. The motion passed

- 3) Discussion/Decision Regarding Riley Creek Encroachment Permit

Director Luttmann had a lengthy discussion regarding creating an encroachment permit for the Idaho Forest group, and spoke of all weather roads and the frost law ordinance.

## **EMERGENCY MANAGEMENT – Bob Howard**

- 1) Updates on Staff, Projects and Department.

Director Bob Howard presented updates on staff, projects and the department and discussed creating an EOC workshop; stated he is currently updating the snow resource list; and the Bonfire contracts will be ready for signatures next meeting.

- 2) Discussion/Decision Regarding 2011 Emergency Management Performance Grant

Commissioner Nielsen made a motion to approve the 2011 Emergency Management Performance Grant award number EMW-2011-EP-00082 in the amount of \$29,620.31 and authorize the Chair to sign. Commissioner Rich seconded the motion. All in favor. The motion passed.

**PLANNING & ZONING – Clare Marley**

- 1) Discussion/Decision Regarding Time Extension Request, File SM921-06, The Fairways at Stoneridge – Phase 3 & 4, (Creekside) Surety Agreement

Commissioner Rich made a motion to approve the surety agreement between CDS Stoneridge Associates – Land L.C., and Bonner County for the construction or installation of improvements required for the plat of Fairways at Stoneridge, Phase 3 & 4, File #SM921-06 pending the Treasurer receiving and reviewing the bond and authorize the Chair to sign. Commissioner Nielsen seconded the motion. All in favor. The motion passed

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

Commissioner Nielsen made a motion to allow the Chair to sign the final plat approval for File SS1689-11, Simmons Meadows. Commissioner Rich seconded the motion. All in favor. The motion passed

- 3) Discussion/Decision Regarding Final Plat Approval, File SS1688-11, Lazy L-R Ranch

Commissioner Rich made a motion to approve final plat for File SS1688-11, Lazy L-R Ranch and authorize the Chair to sign. Commissioner Nielsen seconded the motion. All in favor. The motion passed

- 4) Discussion/Decision Regarding Surplus/Trade-in of Department Vehicles - Resolution

Commissioner Rich made a motion to approve Resolution #11-111 allowing, at the discretion of the department, to trade in and/or surplus either vehicle listed on the resolution. Commissioner Nielsen seconded the motion. All in favor. The motion passed

- 5) Department Updates

Director Clare Marley provided an update stating the Nell Shipman bond default work has been completed. It has finished under budget and therefore will be able to return some money.

**EMS – Rob Wakeley**

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

Chief Rob Wakeley provided an update on the fiscal year end; billing was up 18% and attributed this to the new office administrator's efficiency; and overall revenues were up 8%.

**911 DISPATCH – Marcus Robbins**

Director Marcus Robbins was not present.

**PERSONNEL – Pam Allen**

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

Director Pam Allen presented change of status for the Sheriff's Office; and new hires for Justice Services.

Commissioner Rich made a motion to accept the change of status and new hire notices. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

Director Pam Allen had a meeting with PacificSource and commented that they would like to have a rep here one day a month starting in November, and suggested to possible have someone from Wells Fargo as well. Commissioner Razor would like ABCE to be able to meet with the insurance reps as well.

## MISCELLANEOUS BUSINESS

### 2) Discussion/Decision Regarding Payment for 2012 Claims in Batch #2

Commissioner Rich made a motion to approve the 2012 claims in Batch #2. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

### 3) Discussion/Decision Regarding Payment for 2012 Claims in EMS Batch #2

Commissioner Nielsen made a motion to approve the 2012 claims in EMS Batch #2. Commissioner Rich seconded the motion. All in favor. The motion passed.

### 4) Discussion/Decision Regarding Amendment No. 1 to Agreement Between Avista Corporation and Bonner County Courthouse

Commissioner Rich made a motion to approve Amendment No. 1 agreement between Avista Corporation and Bonner County and authorize the Chair to sign. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

### 7) Discussion/Decision Regarding Sidewalk Repairs/Ed Buzbee

Commissioner Nielsen made a motion to authorize Ed Buzbee to obtain estimates to contract and complete the sidewalk work with a limit not to exceed \$2500. Commissioner Rich seconded the motion. All in favor. The motion passed.

### 1) Updates on ABCE Health & Wellness Committee Projects

Sharon Meade was present to propose a project for 2012 where PacificSource would be willing to assist one day a month and provide a speaker for presentations on various topics. There would be a rotating schedule to different locations in the county. If the Board would authorize this type of program the committee would asked that the Commissioners consider approving one hour wellness leave per month for employees to attend.

Commissioner Nielsen would like this program presented to the other elected officials and will discuss this at the department head meeting tomorrow. Commissioner Razor asked that ABCE get with the other elected officials to make sure they are willing to participate prior to going forward, and requested to have a monthly report tracking attendance.

Commissioner Nielsen made a motion to allow ABCE to continue with a 2012 program to hold a meeting once a month, one hour at a time, to be rotated throughout the department and encourage all department heads and elected officials to support the program. Commissioner Rich seconded the motion. All in favor. The motion passed.

- 5) Discussion/Decision Regarding Agreement Between Bonner County and Idaho Department of Parks and Recreation

Commissioner Nielsen made a motion to approve the Challenge Cost-Share Agreement between Bonner County, Idaho Department of Parks and Recreation and USDA Forest Service, Idaho Panhandle National Forest. Commissioner Rich seconded the motion. All in favor. The motion passed.

- 6) Discussion/Decision Regarding Fiber Optics and Maintenance at the Bank Building

Commissioner Rich made a motion to approve installation of fiber optics from the Courthouse to the Mountain West Bank building, pending approval of the bank, and a contract from the State indicating that they will provide the installation and maintenance of said fiber optics. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

- 8) Discussion Regarding Fire Ordinance/Commissioner Rich

There was a lengthy discussion regarding private burning language for a future Fire Ordinance. Commissioner Rich will research the language of the ordinance and bring this back before the Board.

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

At 9:24 a.m. Commissioner Rich made a motion to enter into an Executive Session under Idaho Code **§67-2345(B) Personnel/HIPA Claims** with Pam Allen. Commissioner Nielsen seconded the motion. All in favor: Roll Call: Commissioner Nielsen, Yes; Commissioner Rich, Aye; Commissioner Rasor, Aye. The motion passed.

At 9:40 a.m. Commissioner Nielsen made a motion to adjourn the Executive Session and reconvene the regular business meeting. Commissioner Rich seconded the motion. All in favor. The motion passed.

At 10:18 a.m. Commissioner Nielsen made a motion to enter into an Executive Session under Idaho Code **§67-2345(D) Exempt/Discuss Public Records** with Scott Bauer. Commissioner Rich seconded the motion. All in favor: Roll Call: Commissioner Nielsen, Yes; Commissioner Rich, Aye; Commissioner Rasor, Aye. The motion passed.

At 10:23 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 10:24 a.m. Commissioner Rich made a motion to reconvene the regular business meeting at 3:30 to discuss a public records request. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

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### CALL TO ORDER

At 3:32 p.m. Chairman Cornel Rasor called the continuation of the regularly scheduled business meeting to order stating all three Commissioners are present, and Scott Bauer from legal for the purposes of going into Executive Session under Idaho Code §67-2345(D)Exempt/Records.

Commissioner Rich made a motion to reconvene the regular business meeting. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

At 3:33 p.m. Commissioner Nielsen made a motion to enter into an Executive Session under Idaho Code §67-2345(D) Exempt/Review Public Records with Scott Bauer. Commissioner Rich seconded the motion. All in favor; Roll Call: Commissioner Nielsen, Yes; Commissioner Rich, Aye; Commissioner Rasor, Aye. The motion passed.

At 4:18 p.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.

Commissioner Nielsen made a motion to release records reviewed and identified as being exempt through privileged information from our attorney. Commissioner Rich seconded the motion. All in favor. The motion passed.

There being no further business to come before the meeting, at 4:19 p.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 26, 2011, Treasurer Cheryl Piehl met with the Board to discuss the following files: **Approved:** RPR28110000020A 2009; RPR28110000030A 2009; RPR28110000040A 2009; RPR00000252999A 2011-2010; SRR00000252999A 2009; RPR56N03W100301A 2010; RP56N01W173602A 2010; RP56N02W203000A 2011.

On Wednesday, October 26, 2011, Assistance Director Kevin Rothenberger met with the Board to discuss the following files: **Approved:** 2012-003; 2012-004; 2012-007. **Denied:** 2011-161 Appealed Case; 2011-202 Appealed Case; 2012-005.

On Thursday, October 27, 2011 at 8:30 a.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) regarding the Board of Commissioners have scheduled a staff meeting.

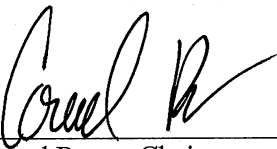
On Thursday, October 27, 2011 at 12:00 p.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) for the Commissioners to attend a meeting with Panhandle Building Contractors Association.

On Thursday, October 27, 2011 at 3:15 p.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) regarding a request for advertising certain positions..

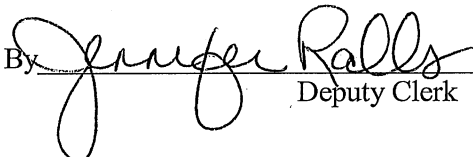
On Friday, October 28, 2011 at 8:30 a.m. an Executive Session was held pursuant to Idaho Code §67-2345(F) with Scott Bauer to discuss possible litigation.

On Friday, October 28, 2011 at 9:30 a.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) regarding emergency notification systems.

On Monday, October 31, 2011 at 9:00 a.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) regarding a fiber optics meeting with Leonard Wilson.

  
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Cornel Rasor, Chairman

ATTEST: Marie Scott, County Clerk

By   
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Deputy Clerk