

Bonner County

Board of Commissioners

Lewis Rich Cornel Rasor Mike Nielsen

MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

November 15, 2011 - 8:45 AM
Bonner County Administration Bldg.
Third Floor Conference Room
1500 Hwy 2, Suite 308, Sandpoint, ID

On Tuesday, November 15, 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 8:47 a.m.

INVOCATION

Dave Olson from the First Lutheran Church presented the Invocation.

PLEDGE OF ALLEGIANCE

ADOPT ORDER OF THE AGENDA

Chairman Rasor advised of the following changes to the Agenda:

- 1) Miscellaneous Add Item #12 – Discussion/Decision Regarding Access Idaho Service Agreement, Addendum C
- 2) Miscellaneous Add Item #13 – Discussion/Decision Regarding Access Idaho Service Agreement, Addendum D
- 3) Miscellaneous Add Item #14 – Discussion/Decision Regarding North Parking Lot Light Poles and Base Replacement
- 4) Add to Road & Bridge line item #2 to read Work Change Directive #3 and #4

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.

MEETING UPDATES

Commissioner Rich: Commissioner Rich provided updates from attending the Panhandle Lakes RC&D meeting touching on a Shoshone county recreational area project.

Commissioner Nielsen: Commissioner Nielsen provided updates for attending the Communications Advisory Board, and the first Priest River Watershed Advisory Group called WAG.

Commissioner Rasor: Commissioner Rasor provided updates from attending the Veteran's Day celebration; dedication of Pioneer Park; and an event at community hall set in the 1940's.

PUBLIC COMMENT

Mike Brown, Blue Sky Broadcasting inquired about the intent of tomorrow's meeting for the Juvenile Detention Center. Commissioner Razor stated that the meeting is to certify that the city does indeed want it and to develop a plan of action as to where to locate it; and hopes to finalize before end of year.

CONSENT AGENDA

- 1) Liquor Licenses (14): Safeway Store #350, Sandpoint, ID; Mac's Gas & Grocery, Priest River, ID; Club Rio, Oldtown, ID; Clark Fork Beverage, Clark Fork, ID; 219 Lounge, Sandpoint, ID; Trinity at Willow Bay, Priest River, ID; Trinity at City Beach, Sandpoint, ID; Sand Creek Schweitzer Conoco, Ponderay, ID; Puccis Pub, Sandpoint, ID; The Elks Café LLC, Ponderay, ID; Whitley Oil, Priest River, ID; Bab's Pizzeria, Sandpoint, ID; Grandview Resort, Nordman, ID; Spuds, Sandpoint, ID.
- 2) Approval of Bonner County Commissioners' Minutes for September 27, 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.

- 2) Discussion/Decision Regarding a Request for a Solid Waste Fee Waiver From the Sandpoint Fire Dept.

Commissioner Nielsen made a motion to approve fee waiver from the Sandpoint Fire Department pending verification by Solid Waste, Director Leslie Marshall. Commissioner Rich seconded the motion. All in favor. The motion passed.

- 3) Discussion/Decision Regarding a Request for Petty Cash for the New Transfer Station

Commissioner Rich made a motion to reimburse Director Leslie Marshall \$100 for petty cash to set up the new transfer station. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

ROAD & BRIDGE – Ryan Luttmann

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

Director Ryan Luttmann provided updates on staff, road districts and projects providing general updates for District 1; District 2; District 3. Director Luttmann also mentioned that the department is ready to consider part-time drivers for the night shift.

- 2) Discussion/Decision Regarding Quartz Cottonwood – Work Change Directive #3 and #4.

Commissioner Rich made a motion to approve the Quartz Cottonwood, Work Change Directive #3 as presented by Ryan Luttmann and authorize the Chair to sign administratively. Commissioner Nielsen seconded the motion. All in favor. The motion passed

Commissioner Nielsen made a motion to approve Quartz Cottonwood, Work Change Directive #4 and authorize the Chair to sign administratively. Commissioner Rich seconded the motion. All in favor. The motion passed.

3) Discussion/Decision Regarding W. Lakeshore – AFP/RPO #1, Quantity Adjustment CO#1

Commissioner Nielsen made a motion to approve the W. Lakeshore application for payment in the amount of \$478,762.28 and authorize the Chair to sign administratively. Commissioner Rich seconded the motion. All in favor. The motion passed.

Commissioner Rich made a motion to approve Change Order No. 1 on the West Lakeshore maintenance program based on the information shared by Ryan Luttmann and allow the Chair to sign. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

4) Discussion/Decision Regarding Upper Pack – AFP/RPO #1, Quantity Adjustment CO#1

Commissioner Rich made a motion to approve the recommendation of payment for Upper Pack River Road in the amount of \$562,349.81 and allow the Chair to sign administratively. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

Commissioner Nielsen made a motion to approve Upper Pack River Quantity Adjustment Change Order No. 1 and authorize the Chair to sign administratively. Commissioner Rich seconded the motion. All in favor. The motion passed.

5) Discussion/Decision Regarding AARA Reimbursement No. 17

Commissioner Rich made a motion to approve the Forest Service Recovery Act Agreement #10-R0-110182B1-028 AARA Reimbursement No. 17 in the amount of \$865472.91 and authorize 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 S1516-07 – The Spires 1st Addition, Preliminary Plat, Phases II Through IV

Commissioner Rich made a motion to approve the Time Extension Request, File S1516-07 – The Spires 1st Addition, Preliminary Plat, Phases II through IV as presented by Clare Marley of Planning and Zoning. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

2) Discussion/Decision Regarding Nell Shipman Surety Agreement, File S1096-04 – Surety Release

Clare Marley requested to remove this item from the agenda with the intent to bring it back for next week's agenda.

3) Department Updates

Director Clare Marley spoke of various items to be discussed at the December 8th, P&Z meeting specifically touching base on changes to an ordinance.

EMS – Rob Wakeley

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

Chief Rob Wakeley presented general updates on staff, department, calls and projects commenting that Westside Fire is now licensed as a first response fire department; and today through December 2, EMS will provide a series of 10 blood glucose testing sessions for county employees.

MISCELLANEOUS BUSINESS

- 14) Discussion/Decision Regarding North Parking Lot Light Poles and Base Replacement

Commissioner Rich made a motion to approve contingent upon funding verification with the Clerk. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

- 7) Discussion/Decision Regarding Bonner County Administration Bldg - Lobby Lights

There was some discussion regarding lobby lights at the Administration building. No motion was made.

- 12) Discussion/Decision Regarding Access Idaho Service Agreement, Addendum C

Commissioner Nielsen made a motion to approve Addendum C, service level agreement for electronic transaction and access for pay port electronic payments to the Bonner County Assessor. Commissioner Rich seconded the motion. All in favor. The motion passed.

- 13) Discussion/Decision Regarding Access Idaho Service Agreement, Addendum D

Commissioner Rich made a motion to Addendum D, service level agreement for electronic transaction and access to Bonner County Assessor. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

- 1) Discussion/Decision Regarding ABCE Representation at Department Head Meetings as Needed

There was a discussion regarding ABCE representation at department head meetings. The Board agreed that they if they are needed they would be invited and that they are welcome to inquire. No motion was made.

911 DISPATCH – Marcus Robbins

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

Marcus Robbins provided updates commenting that the Little Blacktail site is up for receive mode only; and discussed the telephone system as the original vendor is willing to provide repairs.

MISCELLANEOUS BUSINESS CONTINUED

- 2) Discussion/Decision Regarding Challenge to the Constitutionality of the 2011 L87 Redistricting Plan - **Resolution**

Commissioner Nielsen made a motion to table this Resolution regarding the constitutionality of the L87 redistricting plan. Commissioner Rich seconded the motion. All in favor. The motion passed.

- 3) Discussion/Decision Regarding Bonner County Courthouse Improvements, CMT Services, Phase 2, Strata File: BCCOMM C09122C

Commissioner Rich made a motion to approve the Strata File BCCOMM C09122C schedule of services. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

PERSONNEL – Pam Allen

- 1) Update on Staff, Human Resource and Risk Management Projects.

Director Pam Allen presented change of status and new hire forms.

Commissioner Rich made a motion to accept the change of status and hires for the Prosecutor's Office. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

Chairman noted that Director Allen modified the personnel forms presented to the Board with one set stating acknowledge for elected officials and one set that reads approval for departments.

MISCELLANEOUS BUSINESS CONTINUED

- 4) Discussion/Decision Regarding Payment for 2012 Claims in Batch #3

Commissioners questioned various claims. Dan Shea was present to answer questions and stated he would add a cell phone account to District Court. Chairman Rasor asked staff to look into the issue of the Blue Lake Grange Hall and the possibility of donating the building to the town of Blanchard.

Commissioner Nielsen made a motion to approve Claims Batch #3. Commissioner Rich seconded the motion. All in favor. The motion passed.

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

Commissioner Rich made a motion to approve EMS Batch #3. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

- 6) Discussion/Decision Regarding Floating Holiday

Commissioner Rich made a motion to approve the floating holiday subject to review by our legal department. Commissioner Nielsen seconded the motion only for discussion. Commissioner Rich vote Aye; Commissioner Rasor vote Nay; and Commissioner Nielsen voted Nay. The motion did not pass.

After a lengthy discussion it was decided to continue discussion of this item on Friday at 2:30.

- 8) Discussion/Decision Regarding Property Rights Council Bylaw Recommendations

Commissioner Nielsen made a motion to approve the bylaws; and amended the motion to add "advisory" to the Property Rights Council title; change the 8th bullet under Review from "your" to "the"; under Membership should read 7-9, rather than 7; and Section 2, Sub 1 to read following the "members" first meeting of the PRC, and Section 2, Sub 2 to read following the "members" first meeting of the PRC. Commissioner Rich seconded the motion. All in favor. The motion passed.

- 9) Discussion/Decision Regarding Forming the Bonner County Property Rights Council - **Resolution**

Commissioner Nielsen made a motion to approve Resolution #11-112 forming the Bonner County Property Rights Council. Commissioner Rich seconded the motion. All in favor. The motion passed.

Commissioner Rasor mentioned that this resolution supersedes Resolution #10-79 from 2010 and brings the resolution wording up to date with the bylaw wording.

- 10) Discussion/Decision Regarding Payment of Warren N Erickson CPA-Spokane, Invoice #56 for Audit of Financial Statements

Commissioner Nielsen made a motion to approve payment of Warren N. Erickson, CPA-Spokane invoice #56 for audit of financial statements in the amount of \$5505. Commissioner Rich seconded the motion. All in favor. The motion passed.

- 11) Discussion/Decision Regarding Teltronics Technical Services

Commissioner Nielsen made a motion to approve of the maintenance agreement using option 5 in the amount of 120 annual hours, a monthly rate of \$650 and that the hours to be used for telephone and the 911 center with signatures pending written verification from Valence Wireless & Communications.

At 11:07 a.m. Commissioner Rich made a motion to enter into an Executive Session under Idaho Code §67-2345 **(B) Personnel /Leave without Pay** with Pam Allen. Commissioner Nielsen seconded the motion. All in favor: Roll Call: Commissioner Nielsen, Yes; Commissioner Rasor, Aye; Commissioner Rich, Aye. The motion passed. Commissioner Rich moved to approve leave of absence as discussed in Executive Session. Commissioner Nielsen seconded. All in favor. The motion passed.

Commissioner Rich made a motion to grant leave without pay as discussed. Commissioner Rasor seconded the motion. All in favor. The motion passed.

At 11:12 a.m. Commissioner Rich made a motion to adjourn the Executive Session and reconvene the regular business meeting to Friday at 2:30 p.m. 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, NOVEMBER 15, 2011**

November 18, 2011 – 2:30 P.M.
Bonner County Administration Bldg.
1500 Hwy 2, Suite 338, Sandpoint, ID

On Friday, November 18, 2011 the Bonner County Commissioners met to reconvene the business meeting from Tuesday, November 15, 2011. All Commissioners were present.

CALL TO ORDER

At 2:30 p.m. Chairman Cornel Rasor called the meeting to order advising that this meeting was a continuation of the Tuesday, November 15, 2011 regularly scheduled business meeting for the purposes of discussing the floating holiday.

- 1) Discussion/Decision Regarding Floating Holiday

Commissioner Rasor read a list that had information on various Idaho counties stating their policy for a floating holiday. A lengthy discussion followed for proper wording of a resolution which the Board asked the County Clerk, Marie Scott to prepare and include the following: 8 hours of personal time off to be used at the employees discretion with prior approval granted of employees immediate supervisor and must be used in the fiscal year from October 1 – September 30th with no accrual.

At 2:42 p.m. Commissioner Rich moved to recess until such time the Clerk prepares a Resolution appropriate for the Floating Holiday. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

At 3:00 p.m. Commissioner Rich made a motion to reconvene the business meeting. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

Commissioner Rich made a motion to approve Resolution #2011-113 regarding a floating holiday with the language previously mentioned. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

There being no further business to come before the meeting, at 3:09 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, November 9, 2011, Treasurer Cheryl Piehl met with the Board to discuss the following files:
Approved: RP56N01W280260A, 2011; RP58N04W035455A, 2008.

On Wednesday, November 9, 2011, Assistance Director Kevin Rothenberger met with the Board to discuss the following files: **Approved:** 2011-043 Appealed Case; 2011-306; 2012-021. **Suspended:** 2011-304 **Denied:** 2011-294 Appealed Case; 2012-011; 2012-018.

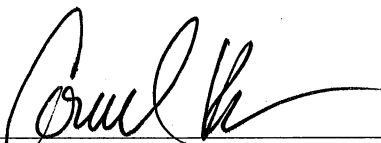
On Monday, November 14, 2011 at 8:00 a.m. a Special Meeting/Executive Session was held pursuant to Idaho Code §67-2343(2) and pursuant to Idaho Code §67-2345(B) regarding training and mediation.

On Monday, November 15, 2011 at 1:30 p.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) regarding the canvassing of the elections from 11/8/11.

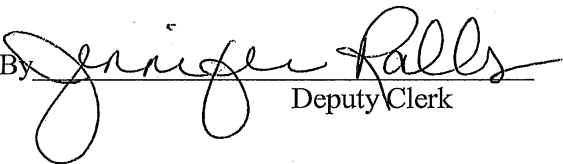
On Wednesday, November 16, 2011 at 11:00 a.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) regarding the E/W connector road (JD Center).

On Friday, November 18, 2011 at 2:30 p.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) regarding the continuation of the Bonner County Board of Commissioners business meeting from 11/15/11.

ATTEST: Marie Scott, County Clerk



Cornel Rasor, Chairman

By 
Deputy Clerk