



# **Bonner County**

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## **Board of County Commissioners**

### **MINUTES FOR THE BOARD OF COMMISSIONERS' MEETING**

Tuesday December 22, 2009 - 8:45 AM  
Bonner County Administration Bldg.  
1500 Hwy 2, Suite 308, Sandpoint, ID

On Tuesday, December 22, 2009 the Bonner County Commissioners met for their regularly scheduled meeting with Chairman Young and Commissioner Rich present. Commissioner Rasor was running late and arrived at 8:58 am.

#### **CALL TO ORDER**

Chairman Young called the meeting to order at 8:46 am.

#### **INVOCATION**

Dave Olson of the First Lutheran Church presented the Invocation.

#### **PLEDGE OF ALLEGIANCE**

#### **ADOPT ORDER OF THE AGENDA**

Chairman Young advised there were two items to be added to the Agenda:

- 1) Discussion/Decision Regarding the Priest River Groomer Building – Bob Howard.
- 2) Discussion/Decision Regarding Authority to Spend up to \$500 to Hire a Mediator for Conflict Conciliation – Scott Bauer of the Prosecutor's Office.

Commissioner Rich made a motion to adopt the Order of the Agenda, as amended. Chairman Young vacated the Chair and seconded the motion. All in favor. The motion passed.

#### **MEETING UPDATES**

**Commissioner Rich:** Commissioner Rich reported on two meetings:

- ♣ Inspection of the Juvenile Detention facility on December 17, 2009 by the Idaho Department of Corrections: Results of the inspection will be available in March but denial of certification would not be a surprise. Utilizing the facility without certification would open the County to huge liability problems; a workshop to discuss options is scheduled after the first of the year.

- ♣ Airport Advisory Board Meeting on December 21, 2009. The usual updates and business matters were discussed. The \$58,000 funds available to the Airport can be “loaned” to another facility to be repaid in the future so the possibility of losing the funds is alleviated

**Commissioner Young:** Commissioner Young also reported on two meetings:

- ♣ The State Interoperability Executive Council in Boise; all six Districts have “stood up” statewide; memberships are in place; chairs have been appointed and the documents are being reviewed for charters. The next step is to consolidate the Districts into three Regions.
- ♣ The Priest River Groomer Meeting: Chairman Young advised that due to an ice on the runway in Boise he was unable to fly back to attend the meeting. Chairman Young did attend the Groomer Town Hall Meeting on Saturday where public input was solicited regarding the trails and an update on grooming difficulties was discussed

**Commissioner Razor:** Commissioner Razor reported on attending two meetings:

- ♣ Waterways Committee: Four grants were presented and approved at the meeting; the budget was discussed.
- ♣ Aquatic Invasive Species: The following were discussed: Placing wash stations in Athol toward Farragut and one on the Idaho/Montana line (utilizing “cost share” with Montana), as well as several other locations; removing some bottom barriers before the end of the season; and continuing work on the matrix to decide how and where to apply milfoil treatments, working toward a “managed” system goal rather than the goal to “eradicate” the milfoil.

**PUBLIC COMMENT:** There were no public comments.

## **CONSENT AGENDA**

- 1) Planning and Zoning Public Hearing Minutes for December 9, 2009.
- 2) Board of Commissioners’ Meeting Minutes for November 24, 2009; and
- 3) Liquor Licenses: Hill’s Resort, Inc., Priest Lake, ID; Nordman Store and Bar, Priest River, ID; FOE Sandpoint Aerie 589, Inc., Sandpoint, ID; Dilunas, Sandpoint, ID; EZ Stop, Blanchard, ID; Green Owl Tavern, Priest River, ID; The Hydra SOS, Sandpoint, ID; Chimney Rock Café, Priest Lake, ID; Trinity at Willow Bay, Priest Lake, ID; 41 South, Sagle, ID; and 219 Lounge, Sandpoint, ID; Arlo’s, Sandpoint, ID; Trinity at City Beach, Sandpoint, ID.

Commissioner Razor made a motion to approve the consent Agenda as presented. Commissioner Rich 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. Director Marshall also advised that work in ongoing on the appraisals for Green Owl.

- 2) Discussion/Decision Regarding Approval of Phase II Hope Launch Site grant.

Commissioner Rich made a motion to approve the Phase II Hope Launch Site grant. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 3) Discussion/Decision Regarding Approval of Grant Application for Marine Patrol Vessel – Lt. Cary Kelly.

Commissioner Rasor made a motion to approve the grant application for the Marine Patrol vessel. Commissioner Rich seconded the motion. All in favor. The motion passed.

### **ROAD & BRIDGE – Ryan Luttmann**

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

Director Ryan Luttmann reported plowing, sanding and light brushing are ongoing in all three Districts along with equipment repair and preventative maintenance; Director Luttmann also advised of the first report of flooding in the Priest River area; a number of roads have pot holes which frozen ground makes difficult to address.

Chairman Young received a message from a resident in the Wrenco Area wanting to thank the Road & Bridge Department for the great job it is doing in her area.

- 2) Discussion/Decision Regarding Adoption of Resolution for Panhandle Area Council Fiber Optic Infrastructure Project.

Commissioner Rich made a motion to adopt Resolution No. 09-88 the Panhandle Area Council Fiber Optic Infrastructure Project. Commissioner Rasor seconded the motion. Two in favor. Commissioner Rich, Aye; Commissioner Rasor, Nay; Chairman Young vacated the Chair and voted Aye. The motion passed.

- 3) Discussion/Decision Regarding Consultant Selection for Management of Recovery Act Road Projects.

Commissioner Rich made a motion to approve the consultant selection of J-U-B Engineers, Inc. for the Consultant Selection for Management of Recovery Act Road Projects. Commissioner Rasor seconded the motion. Two in favor. Commissioner Rich, Aye; Commissioner Rasor, Nay; Chairman Young vacated the Chair and voted Aye. The motion passed.

### **EMERGENCY MANAGEMENT – Bob Howard**

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

Director Bob Howard reported attending the North Idaho Regional Emergency Management Workshop; the Bureau of Homeland Security no longer has contracts with Idaho State University for its training programs; 2010 Grant Guidance has changed and Director Howard has asked for stakeholder input on the state strategy; Jay Baker may be asked to guide this investment process; yesterday Bonner County was under flood warnings, the cooling off and snow took care of potential problems.

- 2) Discussion/Decision Regarding Purchase of Emergency Generator for Priest Lake Groomer's Facility.

Commissioner Rasor moved to approve the purchase of the emergency generator for the Priest Lake Groomer/EMS Building. Commissioner Rich seconded the motion. All in favor. The motion passed.

#### **PLANNING DEPARTMENT – Clare Marley**

- 1) Discussion/Decision Regarding Time Extension for File SS1468-07, Rubringer's Glen.

Commissioner Rich made a motion to approve the Time Extension for File SS1468-07, Rubringer's Glen. Commissioner Rasor seconded the motion. All in favor. The motion passed.

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

Director Marley presented an update of all activities to the Commissioners; and advised that the Zoning Map Notice had gone out on Friday.

#### **EMS – Rob Wakeley**

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

Chief Rob Wakeley presented updates on staff, department, calls and projects, advising Westside Ambulance wanted to entertain a 911 contract. Chief Wakeley also advised he met with the medical director regarding his contract renewal and revising the protocols; updated expenses through 12/16/09; orientation for seven on-call part time employees was held last Saturday; critical care training is planned for January along with discussions regarding training 250 citizens in CPR. Deputy Chief Avidan has been selected to attend a national resuscitation program in March.

#### **MISCELLANEOUS BUSINESS**

- 1) Discussion/Decision Regarding Approval of LCA Architects' Statement for Services for the period November 1 through November 30, 2009 – Courthouse Remodel – Phase I.

Commissioner Rasor made a motion to approve the LCA Architects' Statement for Services for the period November 1 through November 30, 2009 – Courthouse Remodel – Phase I. Commissioner Rich seconded the motion. All in favor. The motion passed.

#### **911 DISPATCH – Marcus Robbins**

- 1) Update on Staff, Department and Calls.

Director Marcus Robbins advised that the replacement radio will go to the HooDoo site for installation in the next few days; reported on the power outage at Schweitzer/Baldy and the temporary repairs; the electrician will be back out at Clark Fork to get the radios installed. Regarding 911, training is going very well; however, one trainee resigned yesterday.

Director Robbins also requested an Executive Session under Idaho Code §67-2345 (B) Personnel which was held at the end of the agenda matters.

## PROSECUTOR'S OFFICE – Scott Bauer

- 1) Discussion/Decision Regarding Putting Together a Resolution to Donate Artwork in County Buildings.

Scott Bauer advised this resolution would provide for obtaining insurance coverage of items of personal property, artwork, etc. that an employee brings into his/her office, to cover any negligence/liability on the part of Bonner County for any damage to the personal property while on County premises. The Commissioners asked Mr. Bauer to gather all the details of the request and present them to the Commissioners at a subsequent meeting for review, discussion and/or decision.

Commissioner Rasor moved to enter into an Executive Session under Idaho Code **§67-2345 (B) Personnel, disciplinary action** with Marcus Robbins. Commissioner Rich seconded the motion. All in favor. Commissioner Rich, Aye; Commissioner Young, Aye; Commissioner Rasor, Aye. The motion passed.

At 11:05 am Commissioner Rich made a motion to adjourn the Executive Session with Marcus Robbins and made a motion for an Executive Session under Idaho Code **§67-2345 (B) Personnel, conflict conciliation** with the Prosecutor's Office. Commissioner Rasor seconded the motion. All in favor. Commissioner Rich, Aye; Commissioner Young, Aye; Commissioner Rasor, Aye. The motion passed.

At 11:22 am Commissioner Rich made a motion to adjourn the Executive Session and reconvene the regular business meeting. Commissioner Rasor seconded the motion. All in favor. The motion passed.

Chairman Young summarized the Executive Session advising that Scott Bauer requested the opportunity to hire a mediator to utilize the mediation process prior to exploring other legal avenues for conflict resolution. (Agenda Item 2: Discussion/Decision Regarding Authority to Spend up to \$500 to Hire a Mediator for Conflict Conciliation).

Commissioner Rich made a motion to task the Clerk with coming up with the amount of \$500 from other than departmental funds, to fund a feasibility study regarding mediation and conflict resolution. Commissioner Rasor seconded the motion. All in favor. The motion passed.

Mr. Bauer advised he would prepare an engagement letter for Brian Noble to serve as a mediator for the process, with an order authorizing the expenditure of up to \$500 for the project.

At 11:25 am Commissioner Rasor made a motion to enter into an Executive Session under Idaho Code **§67-2345 (B) Personnel for the Commissioners' Office** with Pixie Vasquez and Scott Bauer. Commissioner Rich seconded the motion. All in favor. Commissioner Rich, Aye; Commissioner Young, Aye; Commissioner Rasor, Aye. The motion passed.

At 11:37 am Commissioner Rich made a motion to adjourn from the Executive Session and adjourn from the regular business meeting. Commissioner Rasor seconded the motion. All in favor. The motion passed.

On December 15, 2009 at the Solid Waste Public Hearing the Board approved Resolution No. 09-87, Amendment of Schedule "A" 2009-10 Solid Waste Disposal Fees to provide for a fee of \$12.00 to dispose of television sets.

On Wednesday, December 16, 2009, Treasurer Cheryl Piehl met with the Board to discuss the following cases: Approved: MH006200020030A (2009), MH56N05W34170MA (2009), MHN3104000003AA (2009), RP006200020030A (2009), RP59N01E353455A (2009) and RPR0205027011AA (2009).

On Wednesday, December 16, 2009, Assistance Director, Kevin Rothenberger met with the Board to discuss the following cases: Approved: #2010-060. Denied: #2009-164, #2009-213, #2009-222, #2009-274, #2010-032, #2010-033, #2010-037, #2010-039, #2010-040, #2010-041, #2010-044 and #2010-045.

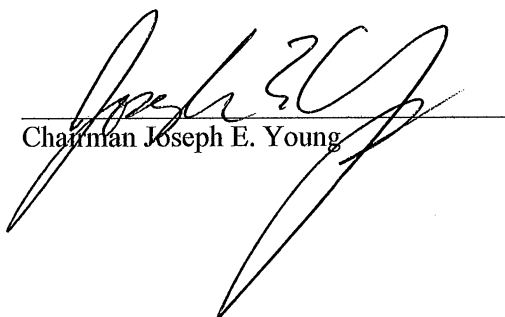
On Wednesday, December 16, 2009 at 10:00 am the continuation of the Executive Session under Idaho Code §67-2345 (F) **Litigation and non-compliance** from December 10, 2009 was held. In attendance were Chairman Joe Young, Commissioner Lewis Rich, Commissioner Cornel Rasor, Bill Johnson, Don Carlson, Clare Marley and Scott Bauer.

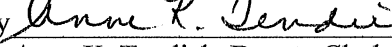
On Thursday, December 17, 2009 an Executive Session under Idaho Code §67-2345 (B) **Personnel, possible termination**, was held. In attendance were the full Board, Marie Scott, Cheryl Piehl, Pam Allen, Brad Seckler, Scott Bauer, Mike Bauer and Pixie Vasquez. After the session was adjourned Commissioner Rich made a motion to have the Human Resources Director work with ICRMP and Deputy Prosecutor Bauer to draft a letter of proposed termination for an employee. Commissioner Rasor seconded the motion. All in favor. The motion passed.

On Thursday, December 17, 2009 an Executive Session under Idaho Code §67-2345 (B) **Personnel, possible termination**, was held. In attendance were the full Board, EMS Chief Rob Wakeley, Scott Bauer and Pixie Vasquez. Before the session was completed, Commissioner Rich had to leave the meeting to fulfill another commitment. After the meeting was adjourned, Commissioner Rasor made a motion to approve giving EMS Chief Rob Wakeley authority to spend not more than \$2000 for the services of Bentley Stromberg to assist with investigation regarding possible pending termination of employees at EMS. Chairman Young vacated the Chair and seconded the motion. All in favor. The motion passed.

On Monday, December 21, 2009 at 1:00 pm an Executive Session under Idaho Code §67-2345 (B) **Personnel, evaluations** was held. In attendance were Pixie Vasquez, Commissioner Rich and Commissioner Rasor. Commissioner Young arrived at 1:20 pm. The Executive Session was adjourned at 2:05 pm.

ATTEST: Marie Scott, County Clerk

  
Chairman Joseph E. Young

By   
Anne K. Tendick, Deputy Clerk