



Bonner County

Board of Commissioners

Lewis Rich

Cornel Rasor

Mike Nielsen

MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

May 17, 2011 - 8:45 AM

Bonner County Administration Bldg.

Third Floor Conference Room

1500 Hwy 2, Suite 308, Sandpoint, ID

On Tuesday, May 17, 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

Jim Osman of the Kootenai Community Church presented the Invocation.

PLEDGE OF ALLEGIANCE

ADOPT ORDER OF THE AGENDA

Chairman Rich advised of the following changes to the Agenda:

- 1) **PRIEST RIVER AIRPORT:** Table Item 1: Discussion/Decision Regarding Offer to Purchase Property from Priest River, ID, to May 24, 2011 BOCC Meeting.
- 2) **CONSENT AGENDA:** Liquor Licenses: Remove The Loading Dock, Sandpoint, ID.
3. **MISCELLANEOUS:** Discussion/Decision Regarding Review of Current 2010 Audit with Auditors – Item to be taken out of order and heard when Auditors arrive.

Commissioner Nielsen made a motion to adopt the order of the Agenda, as amended.

Commissioner Rasor seconded the motion. All in favor. The motion passed.

MEETING UPDATES

Commissioner Rasor: Commissioner Rasor attended, along with Commissioners Rich and Nielsen, the Fallen Officers Memorial and the ground breaking ceremony for the new Juvenile Justice facility. Commissioner Rasor also reported on his meeting with Panhandle Health District where the discussion centered around its proposed 2012 budget, which is down from last year; Bonner and Kootenai counties' contributions went down while Benewah, Boundary and

Shoshone counties' contributions increased, although minimum amounts. The rationale behind the contribution adjustments is the devaluation in property values and decrease in population.

Commissioner Rasor also reported on a meeting with Fire Chief Robert Tyler regarding his concerns with ingress and egress from the upstairs courtrooms at the Bonner County Courthouse.

Commissioner Nielsen: Commissioner Nielsen attended an Emergency Services meeting at Priest Lake reporting there is now Wi Fi at Indian Creek and Lionhead, cell phones will now work in those areas; road restrictions will be enforced on Forest Service Roads by USFS Law Enforcement which require anyone under 16 to complete an Off Road OHV Training before operating any motorized vehicle on Reeder Bay up to the 302 ; IDA reported 8 million board feet of timber will be coming out on the Roads (Dickensheet and Cavanaugh Bay Road); the US Forest Service is down in staffing; water levels are being monitored and Emergency Management will make sandbags and sand available; there was discussion about the possibility of positioning a helicopter for the Fire Service at the Sandpoint Airport this summer to get some flight time/testing on the aircraft; the Outlet Bay Campgrounds will be closed all summer.

Commissioner Nielsen also reported on an LCA meeting regarding the Bonner County Administration Building First Floor remodel project. The project is on schedule with an anticipated move-in for May 20. There remain a few minor items to attend to.

Commissioner Rich: Commissioner Rich reported on the ground breaking ceremonies for Juvenile Detention Center; he also met with the City and came to agreement with the City for issuing a permit for the Juvenile Detention Center. Commissioner Rich also met with IT regarding the network and was advised that services will be enriched, costs reduced and backup coverage will be on a broader scale, should the system fail. The Board of Equalization (BOE) training course was held in Coeur d'Alene where new information regarding the hearings was introduced; Commissioner Rich also reported on the Fallen Officers Memorial.

PUBLIC COMMENT

Mike Brown: Mike Brown from Blue Sky Radio asked if the Commissioners had heard from the EPA regarding the Bonner County Courthouse. Commissioner Rasor advised it will take about six weeks to get a written response.

CONSENT AGENDA

- 1) Liquor Licenses: Dover Bay Café, Dover, ID and Ivano's Ristorante, Hope, ID.

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

MISCELLANEOUS ITEM 1:

- 1) Discussion/Decision Regarding Review of Current 2010 Audit with Auditors.

Tom South from Allen and Larson and Jimmy Linn from LeMaster Daniels (now known as Allen and Larson) presented a thorough summary of the auditing process culminating in the final 2010 Audit, as well as reviewing the requirements and duties of the Auditors. The final Audit was presented to the Commissioners for acceptance at the April 19, 2011 Bonner County Board of Commissioners meeting.

After the Auditor's presentation, a lengthy, in-depth question/answer session proceeded with the Commissioners. Commissioner Nielsen emphasized the importance of using the Audit as a management tool so its timeliness, accuracy and understanding were critical. A number of deficiencies and inconsistencies were brought to the Auditor's attention. The function of the Bonner County Auditor's office, working in coordination with the Independent Auditors, providing audit information/reports necessary to produce the Audit, were discussed at length. One major concern was not being able to identify exactly how much money was in the Reserve Account.

Commissioner Nielsen made a motion that a Reconciliation of all Cash Funds to Unrestricted Assets be prepared in this format (copy attached) by the County Auditor and become part of the Annual Statement of Financial Condition of the County. Idaho Statute §31-2307 provides that the Annual Statement, including this Reconciliation shall be provided to the full Board of County Commissioners not later than the second Monday of January each year, under oath, showing the financial condition of Bonner County as of September 30 of the preceding year. Commissioner Rasor seconded the motion for discussion.

Attorney Larry Goins opined that the motion had not been properly agendized and therefore was inappropriate at this time, suggesting the matter be tabled until the next BOCC meeting. The Commissioners concurred.

Commissioner Rasor made a motion to table this motion for one week. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

The discussion then turned to the multi-year contract between LeMaster Daniels and Bonner County, which includes auditing services for 2011. Commissioner Nielsen pointed out that Bonner County cannot enter into multi-year contracts and legally cannot be bound by a multi-year contract. Commissioner Nielsen proposed a motion to prepare an RFP for an auditing firm. Again, the motion was not properly agendized and the Commissioners directed the Deputy Clerk to put the motion for an RFP on the agenda for the May 24, 2011 meeting.

Bonner County Prosecuting Attorney Scott Bauer discussed concerns about who has control over the Independent Auditors. Although the Independent Auditors work more closely with the Bonner County Auditors, they are under the control of the Bonner County Commissioners. Mr. Bauer emphasized the importance of developing a good working relationship and the ability to have one-on-one confidential communications between the Board of Commissioners and the Independent Auditor.

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 as follows: Solid Waste: Recycle, site cleanup and hazmat are ongoing, TVs are being picked up and taken to the Colburn Culver site; there was a break-in at Dickensheet; they are site grading and painting the attendant shack for Eastriver and the grinding projects at Colburn, Dickensheet and the District 1 shop have been completed. Weeds: The rental equipment is being calibrating; the neighborhood co-ops applications are being reviewed; rental equipment is being taken to the transfer stations; Tom Woolf, who will be in the area for the next two weeks, is setting up wash stations in Bonner County and meeting with individuals regarding treatment for Priest Lake; and sandbags were hauled in for the Flowering Rush project. Waterways: Boat launches and bathrooms are being cleaned; the new docks are being installed at Garfield Bay and the Waterways Advisory Board is meeting May 19, 2011 at 9:00 a.m. additionally, the office is packing for its upcoming move to the Bonner County Administration Building.

Director Marshall also presented a request for petty cash to set up cash boxes for the collection sites to disperse weed spray equipment. Ms. Marshall requested \$60 per site for a total petty cash request of \$160.00

Commissioner Rasor made a motion to add a Discussion/Decision Regarding Request for Petty Cash to the Agenda, due to the timeliness issues. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

Commissioner Nielsen made a motion to approve the Request for Petty Cash in the amount of \$160 to set up the cash boxes at collection sites to disperse weed spray equipment. 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 updates on staff, road district and projects as follows: District 1: Sweeping is finished; gravel roads are being graded; equipment is being mobilized for gravel work on Bandy Road and the Edgemere cut-off; all roads are open for hauling but for Beare Road and preparations are being made to start road stabilization next week. District 2: Tree and brush cleanup is ongoing in the Priest Lake area; ditch work is beginning on Spring Haven Drive; road stabilization preparations are going forward and a majority of the District is open for hauling. District 3: Gravel roads are being graded; spot gravelling work is being done on McGhee, Mountain View and Sunnyside roads; some truck repairs are being undertaken and a majority of the District is open for hauling. The Patch machine is in District 1; the Construction Crew is crack sealing Dufort Road and erosion control, ditching and culvert replacement are being done on Baldy Mountain Road. The Road & Bridge Department is packing up for its move to the Bonner County Administration Building.

2) Discussion/Decision Regarding Purchase of a Grader.

Commissioner Rasor made a motion to approve the Sales Agreement purchase for the Grader and authorize the Chairman to sign it administratively. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

3) Discussion/Decision Regarding ITD Request that Bonner County Maintain a Streetlight.

Director Luttmann advised that the Idaho Transportation Department had approached him regarding the possibility of Bonner County entertaining the prospect of entering into a maintenance agreement for illumination at the intersection of US 95 and Homestead Road, if ITD were to install illumination at that site during construction at the intersection. Director Luttmann provided a copy of a form Cooperative Agreement (Illumination) that ITD proposed. ITD was asking, specifically, if Bonner County would be interested in such an agreement before ITD removed the existing illumination from the site.

The Commissioners concurred on their tentative interest but required more review and investigation into the safety factor improvement and costs; Commissioner Nielsen asked if LED lighting would be available and Director Luttmann advised he would look into the question; would advise ITD the matter was not off the table and the agreement was going to be reviewed by the legal department.

Director Luttmann also reported that he has been working with Northern Lights to secure a listing of the lights in the Bonner County system; he will also work with Avista for its list of lights supported by Bonner County. Director Luttmann advised there may be some grant opportunities in place to fund the lights/get credit for funding the lighting.

4) Discussion/Decision Regarding Asphalt Bid Advertisement.

Commissioner Nielsen made a motion to approve the Road & Bridge Notice of Advertisement for Bids on asphalt for Baldy Mountain Road and authorize Chairman 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: Almost 2,000 sandbags have been delivered so far and more are being requested in preparation for flooding issues; Director Howard will be attending a National Weather Service/Corp of Engineers workshop followed by a public meeting at 7:00 p.m. to inform/update the public on flooding/safety planning and precautions. Director Howard advised the deadline for submitting a GAN application for records retention equipment is mid-July. Commissioner Rasor advised he will review the Clerk's process to confirm it complies with the Statutory and Legislative requirements.

Director Howard also advised his Department is getting ready to move to the Bonner County Administration Building.

PLANNING & ZONING – Clare Marley

- 1) Discussion/Decision Regarding ST36-11 Bonner County Public Works – Fee Waiver and Stormwater Approval for Slee Street Boat Ramp.

Commissioner Nielsen made a motion to approve the Stormwater Plan for the Slee Street boat launch/parking lot paving project pending review and approval of the Plan by the Bonner County contracted engineer; moved to waive the Stormwater Plan Application Fee with the exception of costs incurred by the Planning Department for engineering review. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 2) Discussion/Decision Regarding Fee Waiver Request, File V422-11, Laclede Water District.

Commissioner Nielsen made a motion to approve the fee waiver for stormwater review and application for the variance, with the exception of the engineer review costs and costs of legal advertising, File V422-11, Laclede Water District. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 3) Department Updates.

Director Marley advised the topic of the Planning Commission workshop will be the optional stormwater plan which would allow conceptual stormwater plans instead of the more formal plans used for large projects; there will be discussion about the watersheds, impervious surface coverage and non-conformities which resulted from the View Café discussion. Regarding updates, ten building permits were issued in the last week.

EMS – Rob Wakeley

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

Chief Rob Wakeley presented updates on staff, the department, calls and projects; advising the upcoming weekend is “Lost In the 50’s” where several EMTs will be patrolling on bicycles for quick attention to calls; additionally Chief Wakeley will have an additional ambulance on duty. Chief Wakeley also advised there will be a workshop this afternoon regarding next year’s service provider contracts

SHERIFF’S DEPARTMENT – Daryl Wheeler

The following items were taken in reverse order:

- 2) Discussion/Update of Civil Clerk II Position/Job Description.

Sheriff Wheeler advised of the importance of getting the Civil Clerk II position advertised and presented a job description to the Commissioners for approval. The Commissioners reviewed the description and agreed the critical issue was where the funding for the position was coming from.

Commissioner Rasor made a motion to approve the position pending verification of the location of funds to pay for the position Commissioner Nielsen seconded the motion. All in favor. The motion passed.

- 1) Discussion/Decision Regarding Invitation to the National Institute of Justice Aviation Technology Program.

Undersheriff Bob Bussey, working in conjunction with the Justice Department, has evaluated the Department's needs, capacities, mission statement and goals and identified one area not covered with the current assets, i.e., the Department does not have an aerial vehicle or asset to conduct law enforcement, search and rescue, critical infrastructure review and provide support to other agencies. Through the Department of Justice and the National Institute of Justice, Aviation Technology Program, agencies are enlisted to be "test sites" for low, alternative aircraft. Due to the location of Bonner County, its terrain and surrounding areas, the program would like to test an aero-gyro or gyro plane in Bonner County. A representative from the Sheriff's Department will go to Washington D.C. during the first week in June and give a presentation about the Sheriff's Department, its location and why it feels Bonner County would be a good test site for this type of aircraft. The program will then decide whether to award the test site to Bonner County. The tests are typically from three to five years. Bonner County provides quarterly and annual data and input on the use of the equipment and how it has impacted law enforcement and safety in the area. The cost of the aircraft, trailer and training is approximately \$65,000. A Safety and Evaluation Committee would be established to promote safety and provide good evaluation tools to keep the Department of Justice updated. This type of aircraft requires a "Sport Pilot License" and costs \$45 per hour, including insurance, which is no more than the cost to run a patrol car.

TREASURER - Cheryl Piehl

- 1) Discussion/Decision Regarding Resolution to Destroy "Semi-Permanent" Records.

Commissioner Rasor made a motion to approve Resolution 11-45 granting permission to destroy "semi-permanent" records from the Treasurer's Office. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

BUILDINGS AND GROUNDS – Ed Buzbee

- 1) Discussion/Decision Regarding Changes to Janitorial Services Contract.

Director Ed Buzbee advised that the first floor of the Administration Building will need to be added to the cleaning service contract as well as adding another courtroom to the Courthouse cleaning contract. The cost to add the first floor of the Administration Building will be \$1,000

per month; the Courthouse addition will cost \$275 per month. Cleaning costs for the McGhee Building will be dropped resulting in a savings of \$486 per month.

Director Buzbee will get new contracts prepared, forward them to legal for review and then bring them before the Board for signature.

Commissioner Rich had questions about the defective air conditioner unit; Mr. Buzbee advised the unit was out of warranty and Air Tech installed the unit. Mr. Buzbee was directed to discuss the problem with Pixie Vasquez and LCA to work out the issues with the unit.

- 2) Discussion/Decision Regarding Reliable Controls Training Course.
- 3) Discussion/Decision Regarding Second and Third Floor HVAC Repairs.
- 4) Discussion/Decision Regarding Second and Third Floor Air Balancing.

Due to time constraints and with the permission of the Board and Ed Buzbee, Commissioner Rasor moved to table items 2, 3 and 4 for one week. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

911 DISPATCH – Marcus Robbins

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

Director Marcus Robbins presented updates on staff, department, calls, projects and Enhanced 911 as follows: The logging recorder has been sent to the manufacturer for repair; in the interim a logging recorder will be leased. The phone system is ready to be moved to the First Floor of the Administration Building; the CPU has been sent to Teltronics for repair and hardware equipment has been received for cleaning the dust damage to the equipment room contents.

PERSONNEL – Pam Allen

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

Human Resources Director Pam Allen presented the following new hire/change in status items:

- ♠ Assessor's Office: One staff appraiser left employment with the Assessor and the Assessor would like to fill that position by bringing a seasonal worker on fulltime;
- ♠ Solid Waste: One camp host person will be coming back for the summer and there is one fulltime position to fill at the Eastriver site. Director Marshall would also like to bring on an additional person to fill-in for people on summer vacation;
- ♠ Coroner's Office: Two on-call, part time positions have been filled, a change of status/compensation request has been made and the paperwork will be forthcoming; and
- ♠ Emergency Management: One part-time on call change of status/compensation.

Commissioner Rasor made a motion to approve the hiring and change in status as set forth by Director Allen, pending the receipt and sign-off of the paperwork by the Commissioners. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

At 11:55 a.m. Commissioner Rasor made a motion for a brief recess. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

At 11:57 a.m. Commissioner Nielsen moved to reconvene the business meeting. Commissioner Rasor seconded the motion. All in favor. The motion passed.

MISCELLANEOUS BUSINESS

2) Discussion/Decision Regarding Approval of Bonner County Claims Batch #18.

Bonner County Claims Batch #18

General Fund	157,057.50
Road and Bridge	322,888.94
Airport	17,097.57
Elections	2,643.83
Drug Court	445.00
District Court	26,538.37
911 Fund	17,240.03
Court Facilities Fund	2,650.58
Court Interlock Devices	1,030.00
Indigent an Charity	45,346.57
Revaluation	3,610.48
Solid Waste	398,850.74
Tort	3,984.35
Weeds	1,818.30
Parks & Recreation	386.34
Justice Fund	53,638.50
Snowmobile Priest Lake	121.50
Snowmobile, Sandpoint	838.31
Waterways	3,341.56
Building Construction	464,720.17
Grants	19,082.45
Ambulance District	10,162.70

Commissioner Rasor made a motion to approve Bonner County Claims Batch #18. Commissioner Nielsen seconded the motion for discussion, pointing out Avista continues to charge for the Calvary Chapel and there appear to have been some duplicate payments in the Claims Batch. Pixie Vasquez was directed to contact Avista and work with the Auditor's office to clear up any misunderstandings. All in favor. The motion passed.

3) Discussion/Decision Regarding Approval of Bonner County EMS Claims Batch #18.

Bonner County EMS Claims Batch #18

Ambulance District

29,292.53

Commissioner Rasor made a motion to approve Bonner County EMS Claims Batch #18 with proviso that duplicate payments be reviewed for accuracy. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

- 4) Discussion/Decision Regarding Approval to Pay ES Engineering Invoice No. 753, Priest River Airport - FAA/AIP 3-16-0058-003 (12.5 Acre Land Acquisition) Statement for Service Period April 1, 2011 through April 30, 2011.

Commissioner Nielsen made a motion to approve payment of ES Engineering Invoice No. 753, Priest River Airport - FAA/AIP 3-16-0058-003 (12.5 Acre Land Acquisition) Statement for Service Period April 1, 2011 through April 30, 2011. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 5) Discussion/Decision Regarding Approval to Pay Strata Invoice No.: C110065-IN for Services for March 29, 2011, Bonner County Courthouse Improvements, Phase I.

Commissioner Rasor made a motion to approve payment of Strata Invoice No.: C110065-IN for Services for March 29, 2011, Bonner County Courthouse Improvements, Phase I. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

- 6) Discussion/Decision Regarding Approval to Pay LCA Change Order #2, Bonner County Admin Building, First Floor Remodel.

Commissioner Nielsen made a motion to approve of payment of LCA Change Order #2, Bonner County Admin Building, First Floor Remodel. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 7) Discussion/Decision Regarding Letter of Support for the Sagle Fire District Grant Request for Communications Equipment.

Commissioner Nielsen made a motion to approve the Letter of Support for the Sagle Fire District grant request for communications equipment. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 8) Discussion/Decision Regarding Election of Panhandle Health District Board of Health Members to Represent Benewah and Kootenai Counties.

Commissioner Rasor made a motion to ratify the nominations of Marlow Thompson, as Chair of District 1 Panhandle Health District Board of Health member to represent Benewah County and Jai Nelson, as a District 1 Panhandle Health District Board of Health member to represent Kootenai County for terms beginning July 1, 2011 and ending June 30, 2016. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

- 9) Discussion/Decision Regarding Approval to Pay Invoice from Greg Scandlen For Health Savings Accounts Teleconference.

Commissioner Nielsen made a motion to approve payment of the Invoice from Greg Scandlen for Health Savings Accounts Teleconference. Commissioner Rasor seconded the motion. All in favor. The motion passed.

There being no further business to come before the meeting, at 12:00 noon Commissioner Nielsen made a motion to adjourn the regular business meeting. Commissioner Rasor seconded the motion. All in favor. The motion passed.

On Wednesday, May 11, 2011 Treasurer Cheryl Piehl met with the Board to discuss the following files: **Approved:** TP098000001061T (1999-1998), RP57N01W027730A (2010), RP57N01W027202A (2010), RP57N01W110151A (2010), RP57N01W029170A (2010), RP58N01W168600A (2010), MH56N02W31021LA (2008-2010) and RP55N03W044950A (2008-2010). **Denied:** PP59N01W27255ZA (2010).

On Wednesday, May 11, 2011, Assistance Director Kevin Rothenberger met with the Board to discuss the following files: **Approved:** 2011-183 and 2011-186. **Denied:** 2011-164, 2011-203 and 2011-204.

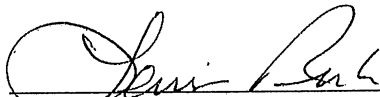
On Wednesday, May 11, 2011 at 1:30 p.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) for the purpose of interviewing candidates to serve on the Bonner County Property Rights Advisory Board.

On Wednesday, May 11, 2011 at 4:00 p.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) for the purpose of interviewing candidates to serve on the Bonner County Property Rights Advisory Board.

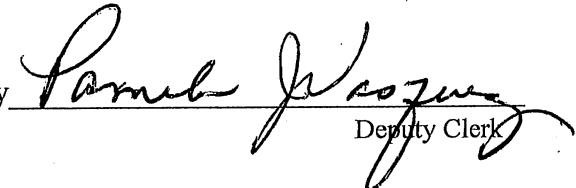
On Monday, May 16, 2011 at 1:00 p.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) with the Panhandle Health District.

On Tuesday, May 17, 2011 at 2:00 p.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) with EMS Chief Rob Wakeley regarding Contracts for Transport Services.

ATTEST: Marie Scott, Clerk of Court



Lewis Rich, Chairman

By 

Deputy Clerk