



# Bonner County

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## Board of Commissioners

Cary Kelly

Mike Nielsen

Glen Bailey

### MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING November 25, 2014 – 9:00 A.M. Bonner County Administration Building – Suite 338 1500 Hwy 2, Sandpoint, ID

On Tuesday, November 25, 2014 the Bonner County Commissioners met for their regularly scheduled meeting with all three Commissioners present. Chairman Kelly called the meeting to order at 9:00 a.m. The Invocation was presented by Barry Johnson of the New Song Bible Church, and the Pledge of Allegiance followed.

#### ADOPT ORDER OF THE AGENDA

Commissioner Nielsen made a motion to add the following items to the agenda and approve the Order of the Agenda, as amended. Commissioner Bailey seconded the motion. All in favor. The motion passed.

- Add: Consent Agenda Liquor License: Yokes Fresh Market, Ponderay, ID*
- Add: Executive Session under Idaho Code § 67-2345 (1) (B) Personnel with Sheriff Daryl Wheeler*
- Add: Executive Session under Idaho Code § 67-2345 (1) (F) Litigation/SilverWings with Scott Bauer*
- Add: Justice Services Item 2) Discussion/Decision Regarding Annual Juvenile Justice Report*
- Add: Miscellaneous Item 3) Discussion/Decision Regarding Payment in Lieu of Taxes (PILT) Funding News Release*
- Add: Executive Session under Idaho Code § 67-2345 (1) (F) Litigation/SilverWings with Scott Bauer*

**PUBLIC COMMENT** – There was no public comment.

#### CONSENT AGENDA

- 1) Approval of Public Hearing Minutes for October 22, 2014
- 2) Approval of Bonner County Commissioners' Minutes for November 12, 2014
- 3) Liquor Licenses: Pizza Hut, Ponderay, ID; Elkins Resort, Nordman, ID; Tamrak Store, Priest Lake, ID; Small House Winery, Sandpoint, ID; Priest River Hardwood Grill, Priest River, ID; Pend Oreille Pasta & Wine, Ponderay, ID; Long Bridge Grill, Sagle, ID; Bab's Pizzeria, Sandpoint, ID; Holiday Shores Resort, Hope, ID; Smokers Express, Ponderay, ID; Pack River General Store, Sandpoint, ID; The Tam O'Shanter, Sandpoint, ID; Sandpoint Gas N Go, Sandpoint, ID; Riverbank Restaurant/Fay's Lounge, Oldtown, ID; The Happy Hour, Kootenai, ID; Klondyke Café & Tavern, Laclede, ID; Willow Bay, Priest River, ID; Magee's BT Grill, Blanchard, ID; Cedar Street Bistro, Sandpoint, ID; Popeye's Lounge, Priest River, ID; Stateline Tavern, Oldtown, ID; Stoneridge Golf Club, Blanchard, ID; China Kitchen, Sandpoint, ID; Fiesta Bonita, Ponderay, ID; Laughing Dog Brewing Inc., Ponderay, ID; Laughing Dog Brewing Inc., Ponderay, ID; OK Lanes, Oldtown, ID; Spud's Waterfront Grill, Sandpoint, ID; The Hydra SOS, Sandpoint, ID; Sandpoint Lodge #1376 BPOE & Elks Golf Course, Ponderay, ID; Millie's, Priest River, ID; Leonard Paul Store, Coolin, ID; Ranch Club Golf Course, Priest River, ID; Yokes Fresh Market, Ponderay, ID

Commissioner Bailey made a motion to approve the Consent Agenda as presented. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

#### CLERK – Ann Dutson-Sater

- 1) Discussion/Decision Regarding Fund Balance Carryover for Cash Basis Operations; **Resolution**

Commissioner Bailey made a motion that, upon the proper determination made by the Bonner County Budget Officer and the approval of the Board of Bonner County Commissioners, funds may be carried over each fiscal year to enable the County to operate on a cash basis unless determined otherwise by the Board of Bonner County Commissioner. Commissioner Nielsen seconded the motion for discussion. There was a brief discussion amongst the Board, the Clerk,

and Civil Attorney Scott Bauer regarding the proper code section, fund amounts, and language in the resolution. Chairman Kelly suggested postponing this resolution.

Commissioner Nielsen made a motion to postpone this resolution. Commissioner Bailey seconded the motion. All in favor. The motion passed.

**EMERGENCY MANAGEMENT – Bob Howard**

- 1) Discussion/Decision Regarding Contract for Professional Services for the Geographical Response Plan Project; \$36,000

Commissioner Nielsen made a motion that Bonner County agree to accept and sign the Contract for Professional Services between Bonner County and Nancy Mabile in the amount of \$36,000.00 for the Geographical Response Plan Project. Commissioner Bailey seconded the motion. There was a brief discussion amongst the Board regarding this agreement. All in favor. The motion passed.

**ROAD AND BRIDGE – Gordon Bates**

- 1) Discussion/Decision Regarding Northern Lights Easement and Construction Agreement; \$6,828

Commissioner Bailey made a motion to approve the Northern Lights, Inc. Right-of Way Easement and Construction Agreement for work order #20140416 and authorize a \$2,000 payment to David and Karen Morgan in consideration for a recorded easement to Northern Lights, Inc. I also move to allow the Board Chairman to sign administratively. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

**PUBLIC WORKS – Leslie Marshall**

- 1) Discussion/Decision Regarding Wood Grinding Proposal Acceptance, Canon Hill Industries, Inc.; \$36 per ton

Commissioner Nielsen made a motion to approve Cannon Hill Industries to provide the wood grinding at Colburn Transfer Station, Idaho Hill Transfer Station and Dickensheet Transfer Station in the amount of \$36.00 per green ton for the period of November 25, 2014 through December 31, 2015. Commissioner Bailey seconded the motion. There was a brief discussion amongst the Board, Leslie Marshall, and Civil Attorney Scott Bauer regarding the contract length, and bid results. All opposed: Commissioner Nielsen, Nay; Commissioner Kelly, Nay; Commissioner Bailey, Nay. The motion failed.

**JUSTICE SERVICES – Debbie Stallcup**

- 1) Discussion/Decision Regarding Juvenile Detention Agreement Between Kootenai Tribe of Idaho and Bonner County, Idaho; \$110 per day

Commissioner Bailey made a motion to approve the Juvenile Detention Agreement between Kootenai Tribe of Idaho and Bonner County, Idaho. This agreement sets forth the conditions under which Bonner County will house juveniles under the jurisdiction of the Kootenai Tribe of Idaho for the fiscal year of 2014-2015 and has been approved by legal. Commissioner Nielsen seconded the motion. There was a brief discussion amongst the Board. All in favor. The motion passed.

- 2) Discussion/Decision Regarding Annual Juvenile Justice Report

Commissioner Nielsen made a motion to approve the Annual Juvenile Justice Report for Bonner County to the Idaho Department of Juvenile Corrections as prepared by Justice Services. Commissioner Bailey seconded the motion. All in favor. The motion passed.

**PLANNING – Clare Marley**

- 1) Discussion/Decision Regarding Time Extension Request – Planned Unit Development for Providence Park-Files C857-06 and S1381-06

Commissioner Nielsen made a motion to approve a time extension for Providence Park Planned Unit Development Files C857-06 & S1381-06 to December 12, 2016. Commissioner Bailey seconded the motion. All in favor. The motion passed.

- 2) Discussion/Decision Regarding Final Plat Approval: Greener Pastures – Phase 1, File #S1788-14

Commissioner Bailey made a motion to approve the final plat of Greener Pastures – Phase 1, File # SS1788-14, and authorize the Chairman to sign the plat as presented. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

3) Discussion/Decision Regarding Final Plat Approval: Trappers Creek, Lot 2, Block 2 Replat, File #SS1790-14

Commissioner Nielsen made a motion to approve the final plat of the Replat of Lot 2, Block 2 of Trappers Creek subdivision, File # SS1790-14, and authorize the Chairman to sign the plat as presented. Commissioner Bailey seconded the motion. All in favor. The motion passed.

**SANDPOINT AIRPORT – Dave Schuck**

1) Discussion/Decision Regarding Adopting the 2014/2015 Sandpoint Airport Snow and Ice Control Plan

Commissioner Bailey made a motion that the County adopt the 2014-2015 Sandpoint Airport Snow and Ice Control Plan as presented. Commissioner Nielsen seconded the motion. There was a brief discussion regarding the post season meetings for the Snow and Ice Control Plan last year. All in favor. The motion passed.

**PRIEST RIVER AIRPORT – Scott Bauer**

1) Discussion/Decision Regarding Categorical Exclusion for Hangar Construction in Taxilane B Development Area

Commissioner Nielsen made a motion to approve the Priest River Airport, Documented Categorical Exclusion report prepared by ES Engineering and allow the Chairman to sign. This report is necessary to meet the requirements of a newly effective FAA environmental requirement for hangar development projects. Commissioner Bailey seconded the motion. All in favor. The motion passed.

**RISK MANAGEMENT/HUMAN RESOURCES – Cindy Binker, Director**

1) Discussion/Decision Regarding Employee Pay Sheets: Sheriff's Office 1 - Full Time Employee; New hire replacing a vacancy; Patrol Deputy; Road and Bridge 1 – Temporary Seasonal Winter Employee; Heavy Equipment Operator, 1 – Temporary Seasonal Winter Employee; Heavy Equipment Operator – rehire; BC 9-1-1 1 – Full Time Employee; Internal Promotion to Supervisor to fill internal vacant position

Commissioner Bailey made a motion to approve the following pay sheets: Sheriff's Office 1 - Full Time Employee; New hire replacing a vacancy; Patrol Deputy; Road and Bridge 1 – Temporary Seasonal Winter Employee; Heavy Equipment Operator, 1 – Temporary Seasonal Winter Employee; Heavy Equipment Operator – rehire; BC 9-1-1 1 – Full Time Employee; Internal Promotion to Supervisor to fill internal vacant position. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

2) Discussion Decision Regarding Bonner County EMS Moving to “For Cause” From Employment “At Will”.

Commissioner Nielsen made a motion to approve the following change to For Cause for BCEMS: Change the employment status for employees completing probationary period to For Cause Employment from Employment At Will for Bonner County EMS. Commissioner Bailey seconded the motion. All in favor. The motion passed.

**MISCELLANEOUS**

1) Discussion/Decision Regarding Payment for Claims Batch #4; \$537,700.41

Commissioner Bailey made a motion to approve Claims in Batch #4 totaling \$537,700.41. Commissioner Nielsen seconded the motion. There was a brief discussion amongst the Board regarding claims within this batch and reports provided with this Claims Batch. All in favor. The motion passed.

	<b>Claims Batch #4</b>	
General Fund	\$	71,166.55
Road & Bridge	\$	69,103.75
Airport	\$	871.43
Elections	\$	965.24
Drug Court	\$	1,355.22
District Court	\$	17,540.23
911 Fund	\$	25,160.68

Court Interlock Device	\$	120.00
Indigent and Charity	\$	243.28
Junior College Tuition	\$	150.00
Revaluation	\$	662.93
Solid Waste	\$	270,888.23
Torts	\$	1,500.00
Weeds	\$	180.66
Parks & Recreation	\$	186.67
Justice Fund	\$	65,121.47
Snow Groomers - Priest Lake	\$	3,018.55
Waterways	\$	989.60
Grants	\$	8,475.92
Total	\$	537,700.41

2) Discussion/Decision Regarding Payment for EMS Claims Batch #4; \$43,174.06

Commissioner Nielsen made a motion to approve EMS Claims in Batch #4 totaling \$43,174.06. Commissioner Bailey seconded the motion. All in favor. The motion passed.

**EMS Claims Batch #4**

Ambulance District	\$	43,174.06
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3) Discussion/Decision Regarding Payment in Lieu of Taxes (PILT) Funding News Release

Commissioner Nielsen made a motion to approve the Payment in Lieu of Taxes (PILT) Funding News Release and release it today. There was a brief discussion amongst the Board and the Audience regarding this press release. Commissioner Bailey seconded the motion. All in favor. The motion passed.

Per Mr. Patterson's request Commissioner Nielsen gave a brief update regarding the SilverWings Litigation Executive Session Topic.

At 9:49 a.m. Chairman Kelly recessed the meeting.

At 10:03 a.m. Commissioner Bailey made a motion to enter into Executive Session under Idaho Code § 67-2345 (1) (B) Personnel with Sheriff Daryl Wheeler. Commissioner Nielsen seconded the motion. All in favor. Roll Call: Commissioner Nielsen, Yes; Commissioner Kelly, Yes; Commissioner Bailey, Yes. The motion passed.

At 10:22 a.m. Commissioner Bailey 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 10:22 a.m. Chairman Kelly recessed the meeting.

At 10:33 a.m. Chairman Kelly reconvened the meeting.

Commissioner Nielsen noted that the additional two Executive Sessions that were added at the beginning of the meeting regarding Sandpoint Airport/Litigation would be combined into one Executive Session.

At 10:34 a.m. Commissioner Nielsen made a motion to enter into Executive Session under Idaho Code § 67-2345 (1) (F) Litigation/SilverWings with Scott Bauer. Commissioner Bailey seconded the motion. All in favor. Roll Call: Commissioner Nielsen, Yes; Commissioner Kelly, Yes; Commissioner Bailey, Yes. The motion passed.

At 11:23 a.m. Chairman Kelly resumed regular session and with no further business adjourned the meeting.

On Wednesday November 12, 2014, Treasurer Cheryl Piehl met with the Board to discuss the following files:  
Approved: MH58N01W15190LA- 2014.

On Wednesday November 19, 2014, Treasurer Cheryl Piehl met with the Board to discuss the following files:  
Approved: MH55N03E188775A - 2014; RPR0149018010AA - 2014; RPR0364013006TA - 2014;  
RP59N02W035310A - 2014.

On Wednesday, November 12, 2014, Assistance Director Kevin Rothenberger met with the Board to discuss the following files: Denied: 2015-002

On Wednesday, November 22, 2014, Assistance Director Kevin Rothenberger met with the Board to discuss the following files: Denied: 2015-004; 2015-010

On Wednesday November 12, 2014 a Meeting with USI and Kim Tower was held pursuant to Idaho Code §67-2343(2).

On Thursday November 13, 2014 a Canvas of the Election Meeting was held pursuant to Idaho Code §67-2343(2).

On Wednesday November 19, 2014 an Executive Session Regarding Tax Sale Overage was held pursuant to Idaho Code §67-2345(1)(D).

On Wednesday November 19, 2014 a Bid Opening for Solid Waste Wood Grinding was held pursuant to Idaho Code §67-2343(2).

On Monday November 24, 2014 a Debriefing Meeting was held pursuant to Idaho Code §67-2343(2).

  
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Cary Kelly, Chairman

12/2/14  
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Date

ATTEST: R. Ann Dutson-Sater, County Clerk

By   
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Deputy Clerk