



Bonner County

Board of Commissioners

Cary Kelly

Glen Bailey

Todd Sudick

MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

July 28, 2015 – 9:00 A.M.

Bonner County Administration Building
1500 Hwy 2, Suite 338, Sandpoint, ID

On Tuesday, July 28, 2015 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 Wesley Ribeiro of the Sandpoint Christian Center, and the Pledge of Allegiance followed.

ADOPT ORDER OF THE AGENDA

Commissioner Bailey moved to amend the agenda for the addition of an Executive Session under Idaho Code §67-2345 (1) (F) Litigation/SilverWing Issue with Scott Bauer @ 10:00 a.m.; and an addition for a Planning Item #2 Discussion/Decision Regarding Settlement, Release, and Waiver Agreement and Resolution on the Stobie Property; and the previous Planning Item 2 would be Item 3; also with the addition of a Public Comment by Gary Spackman, Director of Idaho Department of Water Resources. He is in route and would like to address the lake level at Priest Lake. Commissioner Sudick seconded the motion. All in favor. The motion passed.

Commissioner Bailey moved to adopt the Order of the Agenda as amended. Commissioner Sudick seconded the motion. All in favor. The motion passed.

PUBLIC COMMENT

Chairman Kelly noted that Heather Scott our State Representative was present and she was welcomed by the audience.

CONSENT AGENDA

- 1) Approval of Bonner County Commissioners' Minutes for July 21, 2015

Commissioner Sudick made a motion to approve the Consent Agenda which includes the July 21, 2015 Bonner County Commissioner meeting minutes. Commissioner Bailey seconded the motion. All in favor. The motion passed.

TREASURER – Cheryl Piehl

- 1) Discussion/Decision Regarding Amendment to the Service Level Agreement for Electronic Transactions and Access Payport Electronic Payments

Clorrissa Koster, Chief Deputy Treasurer presented this item in the absence of the Treasurer, Cheryl Piehl.

Commissioner Bailey moved to approve the amendment of the Payport Electronic Payment agreement which will benefit the taxpayers of Bonner County by reducing the convenience fee for using their credit or debit cards to pay property taxes from 2.75% to 2.5%. Commissioner Sudick seconded the motion. All in favor. The motion passed.

CLERK – Michael W. Rosedale

- 1) Discussion/Decision Regarding Treasurer/Auditor Joint Quarterly Reports for Bonner County and EMS, 3rd Quarter Ending June 30, 2015

Commissioner Sudick moved to accept both the Bonner County and EMS Treasurer/Auditor Joint Quarterly Report for the Third Quarter from 04/01/2015 to 06/30/15. Commissioner Bailey seconded the motion. All in favor. The motion passed.

AIRPORTS – James Kaiser

1) Discussion/Decision Regarding Amendment to Lease Agreements - Lots 6 and 13; **Sandpoint Airport**

Commissioner Bailey moved to approve the amendment to lease agreements on lots 6 and 13 at Sandpoint Airport; I further move to authorize the Chairman to sign the amendment administratively. Commissioner Sudick seconded the motion. There was a brief discussion. All in favor. The motion passed.

2) Discussion/Decision Regarding Temporary Construction Easement for Schweitzer Cutoff Road Widening Project with the City of Sandpoint; **Sandpoint Airport**

Jim Kaiser turned this item over to Kody Van Dyke of the City of Sandpoint to present and he noted that the City requires a temporary construction easement and a length of term was discussed. The Board agreed to a 5 year term.

Commissioner Sudick moved to approve the temporary construction easement for 5 years with the City of Sandpoint for the Schweitzer Cutoff Rd Project and allow the Chairman to sign. Commissioner Bailey seconded the motion. All in favor. The motion passed.

3) Discussion/Decision Regarding ES Engineering Professional Services Agreement for Ground Vehicle Parking Area; **Sandpoint Airport**

Commissioner Bailey moved to approve the contract for engineering services with ES Engineering for the Sandpoint Airport FY2015 Construction Project. I further move to authorize the Chair to sign the contract administratively. Commissioner Sudick seconded the motion. All in favor. The motion passed.

PLANNING – Clare Marley

1) Discussion/Decision Regarding Purchase, Sale Agreement and Settlement for Land Acquisition, Pack River Mitigation Project Grant

Clare Marley spoke of this sale and noted that July 31st is the set closing date and action today is pending FEMA approval.

Commissioner Sudick moved to approve the purchase and sale agreement for the acquisition of 20 acres from James and Merlene Stobie as part of the Pack River Mitigation Project grant, and authorize the Board to sign this agreement, pending approval of the agreement by the Idaho Bureau of Homeland Security and the Federal Emergency Management Agency. Commissioner Bailey seconded the motion. All in favor. The motion passed.

2) Discussion/Decision Regarding Settlement, Release, and Waiver Agreement and Resolution, Stobie Property; **Resolution**

Commissioner Bailey moved to approve Resolution #15-53, regarding the Settlement, Release and Waiver Agreement between Bonner County and James L. and Merlene L. Stobie and authorize the Board to sign the agreement upon receipt of the original signed document from Stobies. Commissioner Sudick seconded the motion. All in favor. The motion passed.

3) Discussion/Decision Regarding Funding of Pack River Mitigation Project Grant; Authorization to Increase Parks & Recreation Budget by \$107,300.21 and to Authorize Use of Land Management Program Funds from Auditor's Trust of \$31, 559.70 for Grant Project (Planning & Auditor Office); **Resolution**

Commissioner Sudick moved to approve Resolution #15-54 authorizing the use of \$31,559.79 from the Land Management Program in the Auditor's trust account and authorize the Clerk to open the budget and increase line item 30-00-805-00 Capital Land in the Parks and Recreation Fund by \$107,300.21 for the purpose of funding the county share of the Pack River Mitigation Project grant. Commissioner Bailey seconded the motion. All in favor. The motion passed.

RISK MANAGEMENT/HUMAN RESOURCES – Cindy Binkerd

1) Discussion/Decision Regarding Employee Pay Sheets

Cindy Binkerd presented the following pay sheets: Assessor's Office: 1 full-time employee promotion to Deputy Assessor; 1 full-time employee promotion to Lead Appraiser, filling a vacated position; 1 full-time employee Residential Appraiser completed required certification; Public Works: 1 full-time employee promotion to Maintenance Foreman, filling position with existing employee; Sheriff's Office: 1 full-time employee, Patrol Deputy step increase for anniversary date; 1 full-time employee position change with pay adjustment to the new position.

Commissioner Bailey moved to approve the promotions and pay sheets read into record by Director of Human Resource/Risk Management. Commissioner Sudick seconded the motion. All in favor. The motion passed.

MISCELLANEOUS

1) Discussion/Decision Regarding Letter for the Idaho Department of Lands Upcoming Auction of Endowment Land

Commissioner Sudick moved to approve the letter to the State Board of Land Commissioners informing them that the BOCC has no objections to the upcoming auction of endowment lands at Coolin. Commissioner Bailey seconded the motion. All in favor. The motion passed.

Chairman Kelly noted that we are still waiting for Gary Spackman to arrive and anyone who would be interested in hearing him speak is more than welcome to stick around.

Doug Patterson commented that there is a handshake agreement to let 60 feet per second out of the lake and he feels that there is specific law that states they have to keep the water at a level of 3 feet (on the Priest Lake outlet gauge) and he recommends that the Board makes a decision based on the law. Chairman Kelly noted that it will be the recommendation of the Board.

At 9:38 Chairman Kelly recessed the meeting to await the arrival of Gary Spackman.

At 10:07 a.m. Chairman Kelly reconvened the meeting and noted all three Commissioners are present. The Public Comment period was delayed for the arrival of Gary Spackman, Director of the Idaho Department of Water Resource to speak on the lake level at Priest Lake. The issue stems from a meeting in Priest Lake last Friday regarding the concern of the drought situation, the dam and the outlet. The meeting was turned over to Gary Spackman.

Gary Spackman assured everyone that no decisions have been made, particularly by the Idaho Resource Board. We are experiencing earlier low flow and we are watching the gauge. He is not sure if we have ever come in during the summer and shut down the flow of the Priest River but he is apprising the Water Board of the issue. Idaho Code 70-507 vests the authority in the Department of Water Resources to administer the outlet and maintain the water level in Priest Lake to the best of the Directors ability. There was a lengthy discussion amongst those present. Gary stated that this is his number one priority and over the next 24 hours he needs to look at the lake level; he will not leave northern Idaho until decisions are made. He apologized for the insensitivity of the press release and stated they were simply trying to inform people that we are in this situation.

At 10:47 a.m. Chairman Kelly recessed the meeting. At 10:56 a.m. the meeting was reconvened and it was noted that the Board wishes to amend the agenda.

Commissioner Bailey moved to amend the agenda to add another Executive Session under Idaho Code §67-2345 (1) (F) Litigation in dealing with the Shadow Valley Lane issue with our civil counsel. Commissioner Sudick seconded the motion. All in favor: Roll Call: Commissioner Sudick, Yes; Commissioner Kelly, Yes; Commissioner Bailey, Yes. The motion passed.

Executive Session under Idaho Code §67-2345 (1) (F) Litigation/SilverWing with Scott Bauer
Commissioner Bailey made a motion to enter into an Executive Session under Idaho Code §67-2345 (1) (F) Litigation issue SilverWing with our attorney Scott Bauer. Commissioner Sudick seconded the motion. All in favor: Roll Call: Commissioner Sudick, Yes; Commissioner Kelly, Yes; Commissioner Bailey, Yes. The motion passed.

At 12:02 p.m. with no further business Chairman Kelly adjourned the meeting.

On Wednesday, July 22, 2015, Treasurer Cheryl Piehl met with the Board to discuss the following files: Approved: RP58N01E187351A 2010-2014; RP58N01E182380A 2006-2014; RP58N01E182390A 2006-2014 these are from the sale of the past tax deed property; RP00475001010BA 2014; RP00475004005AA 2014; MH55N04W04990RT 2013-2014; PP56N02W03075ZT 2009-2010; PP56N02W14529ZT 2010-2011; PP56N02W15360YT 2005-2008; PP56N02W153754T 2008; PP58N01W31570ZT 2008-2011; PP58N01W30840ZT 2009. Denied: RPS049402101A0A 2014.

On Wednesday, July 22, 2015 Budget Workshops were held pursuant to Idaho Code §67-2343(2) for Courts/Drug Court and Assessor/DMV.

On Monday, July 27, 2015 a Debriefing Meeting was held pursuant to Idaho Code §67-2343(2).

On Tuesday, July 28, 2015 Budget Workshops were held pursuant to Idaho Code §67-2343(2) for the Extension Office and Planning and Emergency Management Departments.

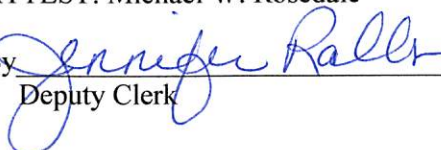


Cary Kelly, Chairman

8-4-15

Date

ATTEST: Michael W. Rosedale

By 

Deputy Clerk