



Bonner County

Board of Commissioners

Cary Kelly

Glen Bailey

Todd Sudick

MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

December 8, 2015 – 9:00 A.M.

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

On Tuesday, December 8, 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 Ken Smith of the First Baptist Church and the Pledge of Allegiance followed.

ADOPT ORDER OF THE AGENDA

Commissioner Bailey made a motion to make the following changes to the agenda:

Add an additional Liquor License for Kelly's Bar and Grill, Clark Fork, ID

Add an Executive Session under Idaho Code 74-206 (1) (F) Litigation – Prosecutor's Office with Scott Bauer.

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

Commissioner Bailey made a motion to adopt the order of the agenda as amended. Commissioner Sudick seconded the motion. All in favor. The motion passed.

PUBLIC COMMENT – Kevin Moore spoke regarding his real property issue.

CONSENT AGENDA

Commissioner Sudick made a motion to approve the consent agenda.

- 1) Catering Permit for Forty-One South for the Thorne Research Holiday Party,
- 2) Liquor Licenses: Jammer, Priest River, ID; Huckleberry Lanes, Sandpoint, ID; Bottle Bay Bar & Grill, Sagle, ID; Schweitzer Mountain Resort, Sandpoint, ID; Mitchell's Harvest Foods, Priest River, ID; Mitzy's, Sandpoint, ID; Exxon Express, Sandpoint, ID; Paul's Chevron, Sandpoint, ID; Express Lane, Sandpoint, ID; Safeway Inc., Sandpoint, ID; The Hive, Sandpoint, ID; Stateline Tavern, Oldtown, ID; Cedar Street Bistro, Sandpoint, ID; Ranch Club Golf Course, Priest River, ID; Popeye's Lounge, Priest River, ID; Mi Pueblo, Priest River, ID; Inn at Priest Lake, Coolin, ID; Cavanaugh Bay, Coolin, ID; Grandview, Nordman, ID; The Beardmore Bistro, Priest River, ID; Travel America Plaza, Sagle, ID; Whitley Oil, Priest River, ID; Forty-One South, Sagle, ID; Kelly's Bar and Grill, Clark Fork, ID.
- 3) Bonner County Commissioners' Minutes for December 1, 2015

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

CLERK – Michael W. Rosedale

- 1) Discussion/Decision Regarding Payment for Claims Batch #5; \$254,718.51

Commissioner Bailey made a motion to approve FY16 Claims in Batch #5 totaling \$254,718.51.

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

2) Discussion/Decision Regarding Payment for EMS Claims Batch #5; \$11,018.82

Commissioner Sudick made a motion to approve FY16 EMS Claims in Batch #5 totaling \$11,018.82. Commissioner Bailey seconded the motion. All in favor. The motion passed.

RISK MANAGEMENT/HUMAN RESOURCES – Cindy Binkerd

1) Discussion/Decision Regarding Employee Pay Sheets

Commissioner Bailey made a motion that the County approve the pay sheets as presented: Public Defenders Office: 1 Full Time Employee; Completed Probation; Step Increase; Prosecutor's Office: 1 Full Time Employee; New Hire Legal Secretary; Vacated position; Sheriff's Office: 1 On Call Employee; Pay sheet Correction; Commissioner's Office: 1 Full Time Employee; Administrative Assistant New Hire; Filling vacated position. Commissioner Sudick seconded the motion. All in favor. The motion passed.

EXTENSION OFFICE – Jennifer Jensen

1) Discussion/Decision Regarding Proposal for Winter Maintenance of the Bonner County Extension Office; \$94 once daily; Sidewalks \$55 per hour

Commissioner Bailey made motion to approve the Winter Maintenance Proposal from Lippert Excavation & Pipeline, Inc. for the Bonner County Extension Office parking lot snow plow removal at a rate of \$94.00 per 3" – 4", one daily and the sidewalk snow removal rate of \$55.00 per hour with a ¼ hour minimum and allow the Chairman to sign. Commissioner Sudick seconded the motion. There was a brief discussion amongst the Board and audience. Commissioner Bailey read the agreement for the audience. All in favor. The motion passed.

PLANNING – Clare Marley

1) Discussion/Decision Regarding Amendment to Title 11 (Building Regulations) Regarding Exemptions; **Ordinance**

Commissioner Sudick made a motion to approve Ordinance 548 amending the Bonner County Revised Code, Title 11, Building Regulations regarding exemptions. Commissioner Bailey seconded the motion. There was a lengthy discussion amongst the audience, Clare Marley and the Board regarding this amendment; comments in favor and opposition were made. Roll call vote: Commissioner Sudick – Yes, Commissioner Kelly – Yes, Commissioner Bailey – No. The motion passed.

EXECUTIVE SESSION

Executive Session under Idaho Code 74-206 (1) (F) Litigation – Prosecutor's Office with Scott Bauer.

At 10:01a.m. Commissioner Bailey made a motion to enter into Executive Session under Idaho Code 74-206 (1) (F) Litigation – Prosecutor's Office with Scott Bauer. Commissioner Sudick seconded the motion. Roll call vote: Commissioner Sudick – Yes, Commissioner Kelly – Yes, Commissioner Bailey – Yes. All in favor. The motion passed.

Scott Bauer stated that this case involves the intersection between municipal law and county law. Attorney, John Cafferty has combined 14 years' experience in both areas of law and this case is a case of first impression.

Commissioner Bailey made a motion to authorize the hiring of attorney, John Cafferty as council representing Bonner County in the County v. Runberg matter. Council has expertise in the area being

litigated and such hiring is necessary. Commissioner Sudick seconded the motion. All in favor. The motion passed.

There being no further business to come before the meeting, at 10:20 a.m. Chairman Kelly adjourned the meeting.

December 1, 2015 – December 8, 2015
Board of County Commissioners
Tax Cancellations, Assistance Meetings/Admin, Executive Sessions & Special Meetings

On Wednesday, December 2, 2015 Treasurer Cheryl Piehl met with the Board to discuss the following files: Approved: MH00695002005AA 2015; RP00695002005AA 2015 Denied: PPS90130000012A 2015

On Thursday, December 3, 2015 Assistance Director Kevin Rothenberger met with the Board to discuss the following files: Denied: 2016-007

On Monday, December 7, 2015 a Department Head Meeting was held pursuant to Idaho Code §74-204(2).

On Wednesday, December 9, 2015 a Planning Hearing was held pursuant to Idaho Code §74-204(2).

Commissioner Sudick made a motion to approve the revised amendment, FILE AM139-15, amending BCRC Title 12, Chapters 3 and 8 to conditionally allow retreats in Agricultural/Forestry-20 zoning district, amend standards for emergency vehicle access for retreats and other commercial uses, and to amend the definition of retreat in unincorporated Bonner County, finding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan as enumerated in the following conclusions of law, and based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further move to adopt the following findings of fact and conclusions of law as written (or as amended). This action does not result in a taking of private property. Commissioner Bailey seconded the motion. All in favor. The motion passed. Commissioner Bailey made a motion to approve an Ordinance of Bonner County, Idaho, the number to be assigned upon recording, citing its authority, and providing for the amendment of Title 12, Chapters 3 and 8, Bonner County Revised Code, and providing for an effective date. Commissioner Sudick seconded the motion. Roll Call Vote: Commissioner Sudick – Yes, Commissioner Kelly – Yes, Commissioner Bailey – Yes. The motion passed. Commissioner Bailey made a motion to approve this petition, FILE VS1832-15 to vacate a portion of the Kootenai-Cabinet Wagon Road, finding that it is in accord with Idaho Code §40-203 as enumerated in the foregoing conclusions of law, and based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further move to adopt the following findings of fact, conclusions of law and conditions of approval (noting any amendments). The action that could be taken to obtain the vacation is to complete the Conditions of Approval as adopted. This action does not result in a taking of private property. Commissioner Sudick seconded the motion. All in favor. The motion passed. Commissioner Sudick made a motion to approve this petition, FILE VS1833-15 to vacate a ±5,390 square foot portion of Birch Bay Lane, finding that it is in accord with Idaho Code §40-203 as enumerated in the foregoing conclusions of law, and based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further move to adopt the following findings of fact, conclusions of law and conditions of approval (noting any amendments). The action that could be taken to obtain the vacation is to complete the Conditions of Approval as adopted. This action does not result in a taking of private property. Commissioner Bailey seconded the motion. All in favor. The motion passed. Commissioner Bailey made a motion to close this hearing until a date and time for a site visit is determined to reconvene the hearing for File C986-15 – Conditional Use Permit –

Sawmill & Woodworking Plant Improvements – Ernie & Nancy Brandt. Commissioner Sudick seconded the motion. All in favor. The motion passed.

On Thursday, December 10, 2015 an Emergency Declaration Meeting was held pursuant to Idaho Code §74-204(2). Commissioner Bailey made a motion to approve Resolution #15-98 declaring a local disaster emergency in Bonner County, Idaho. This declaration is due to flooding. Commissioner Sudick seconded the motion. All in favor. The motion passed.

On Thursday, December 10, 2015 an Executive Session regarding Litigation Mediation meeting was held pursuant to Idaho Code §74-204(2). Commissioner Sudick made a motion to adjust the assessed value on Rapport - RP0372800001B0A to \$390,000 for 2015. Commissioner Bailey seconded the motion. All in favor. The motion passed. Commissioner Sudick made a motion to adjust the assessed value on Rapport - RP033860000030A to \$315,000 for 2015. Commissioner Bailey seconded the motion. All in favor. The motion passed.

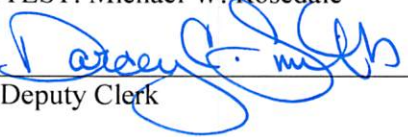
On Friday, December 11, 2015 a Special Meeting/Executive Session re: Compensation Program Review w/ Cindy Binkerd was held pursuant to Idaho Codes §74-204(2) & 74-206 (1)(B).



Cary Kelly, Chairman

10/8/15

Date

ATTEST: Michael W. Rosedale
By 

Deputy Clerk