

Bonner County

Board of Commissioners

Lewis Rich Cornel Rasor Mike Nielsen

MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

August 9, 2011 - 8:45 AM
Bonner County Administration Bldg.
Third Floor Conference Room
1500 Hwy 2, Suite 308, Sandpoint, ID

On Tuesday, August 9, 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

Tony Nelson from the First Christian Church of Sandpoint presented the Invocation.

PLEDGE OF ALLEGIANCE

ADOPT ORDER OF THE AGENDA

Chairman Rich advised that Marcus Robbins would not be present.

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

MEETING UPDATES

Commissioner Nielsen: Commissioner Nielsen did an inspection of the DMV parking lot and stated it is in need of repair; he recommends we close off the back parking area.

Commissioner Rasor: Commissioner Rasor attended a meeting with Jeremy Addington to discuss updates on the Courthouse, attended an EMS Advisory meeting, reviewed policies and reports; and participated in a Jail inspection.

PUBLIC COMMENT

There was public comment from Tom Suttmeier who read a statement from the Oden View Home Improvement Association. The Associations letter questioned various decisions made and/or not made by commissioners regarding issues on their road.

CONSENT AGENDA

- 1) Liquor Licenses: Catering Permit for Bonner County Fairgrounds; Motorcross
- 2) Board of Commissioners Meeting Minutes for Planning & Zoning on July 20, 2011

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

SOLID WASTE, WATERWAYS, PARKS & RECREATION and WEEDS – Leslie Marshall

Director Leslie Marshall was not present; Cary Kelly from Marine Patrol spoke on behalf of the Waterways Advisory Board.

- 1) Discussion/Decision Regarding Ordinance Proposal Regarding No Waterskiing in Upper Priest Lake and the "Thoroughfare" – Cary Kelly

Commissioner Nielsen made a motion to approve the change in the definition of a no waterskiing zone and to advance the Ordinance process. Commissioner Rasor seconded the motion. All in favor. The motion passed.

Commissioner Nielsen made a motion to advance the recommendation to ordinance hearings regarding increasing the no wake zone during periods of flooding under paragraph 3-109 Restricted Zones. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 2) Updates on Staff, Projects and Departments.

In the absence of Director Leslie Marshall, Ryan Luttmann provided updates as follows: Solid Waste - Lakeview is cleaning up with Waste Management to pick up large items; In Weeds: surveying flowering rush with Dr. Matson and ISDA; In Waterways and Parks & Recreation: identifying no parking areas at the Slee St. ramp site and working on the nature trail bridge.

ROAD & BRIDGE – Ryan Luttmann

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

Director Ryan Luttmann presented updates on staff, road districts and projects as follows: In District 1: working on Granite Loop gravel placement and brushing, mowing right-of-ways and installing a 48" squash culvert with an approach on Westmond Road; District 2: brushing Wrenco Loop, gravel placement will be next week, and mowing right-of-ways; District 3: chip seal crew working on Colburn-Culver Road, reclaiming Grouse Creek Pit, and mowing right-of-ways.

- 2) Discussion/Decision Regarding FEMA Emergency Repair Projects

Commissioner Nielsen made a motion to approve 2011 FEMA emergency repair projects in the amount of \$167,844.88 and authorize the Chair to sign administratively. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 3) Discussion/Decision Regarding Federal Highway Administration Emergency/Permanent Repair Projects

Commissioner Rasor made a motion to approve 2011 FHWA emergency/permanent repair projects in the amount of \$111,384.28 and authorize the Chair to sign administratively. Commissioner Nielsen seconded the motion and also requested that Director Luttmann keep the Board advised of the STC 5783, Eastriver Road, in the amount of \$1.2 million, as to how it is progressing and not to begin until we know we have those funds. All in favor. The motion passed.

4) Discussion/Decision Regarding Advertisement for Bids (FEMA Project Worksheet 14 JQC002C)

Commissioner Rasor made a motion to approve notice of advertisement for bids for FEMA Project Worksheet 14 JQC002C and authorize the Chair to sign administratively. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

5) Discussion/Decision Regarding Advertisement for Bids (FEMA Project Worksheet 28 JQC003C)

Commissioner Nielsen made a motion to approve advertisement for bids for FEMA Project Worksheet 28 JQC003C and authorize the Chair to sign administratively. Commissioner Rasor seconded the motion. All in favor. The motion passed.

6) Discussion/Decision Regarding Asphalt Bid Advertisement (Cavanaugh Bay Road)

Commissioner Rasor made a motion to approve the notice of advertisement for bids for Cavanaugh Bay Road and authorize the Chair to sign administratively. Commissioner Nielsen 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: Three pending Bonfire projects are completed and in the process of closeout, submitted the 2012 Western States HFT grant, and the 2011 grant is pending the MOU from the Department of Lands, attended NIMS training and coordinating with all agencies to get completed by August 15th; working on a Resolution to get this adopted. A table top exercise with Boundary County is scheduled for Wednesday the 17th at 5 P.M. at South Boundary Fire Station; working on an Emergency Management performance grant application. Verified Commissioners received email regarding the EOC phone lines and discussed that they are a 10 phone trunk line for non-emergency numbers for the dispatch center.

2) Discussion/Decision Regarding Accepting the IDL Grant for the Bonfire Program

Commissioner Nielsen made a motion to approve acceptance of the 2011 IDL Grant for the Bonfire Program and authorize the Chair to sign administratively. Commissioner Rasor seconded the motion. All in favor. The motion passed.

PLANNING & ZONING – Clare Marley

1) Discussion/Decision Regarding Resolution Reappointing Barbara Shaver to the Planning & Zoning Commission

Commissioner Rasor made a motion to accept the Chair's nomination and approve Resolution 11-68 to reappoint Barbara Shaver to the Planning & Zoning Commission for a three (3) year term to run October 1, 2011 to September 30, 2014. Commissioner Nielsen seconded the motion. All in favor. With a voice vote the Chairman entered "Aye" The motion passed.

2) Department Updates.

Director Clare Marley presented departmental updates as follows: A position in District 3 may not seek reappointment and the Chair suggested that we advertise. Have a public service announcement ready to go out

today and will close September 2nd at 5 P.M. Interested parties are to return letters of interest to the Commissioner's office; the Sandpiper Shore meeting is scheduled for the 7th of September at 1:30 in the first floor conference room. The Watershed Overlay District Ordinance did pass, 4-2. The Board agreed more information from the Watershed subcommittee would be good and asked to schedule a workshop in September. Planning and Zoning is maintaining a list of the free copies to keep track of costs and wondered if other offices might want to do the same. Thought this would be a good idea for other departments to monitor to give the Board information to take back to the legislature to discuss the expense and patterns of departments.

EMS – Rob Wakeley

1) Updates on Staff, Department, Calls and Projects.

Chief Rob Wakeley presented updates on staff, the department, calls and projects as follows: Preparing a notice for auction on the oldest ambulance, have another full size ambulance rusting out, has a hole in the frame. Little's looked at it and anticipates it lasting 12 to 18 months; working with Sagle Fire Chief and they have agreed to apply for an EMS grant next year; also working with Sagle Fire Chief and the Sagle Board on deployment of paramedics next year and looking into purchasing a manufactured home for the Sagle Station 1 for \$65,000. They tried for a repossessed home however was unsuccessful. Chief Wakeley does intend to contribute \$10,000 out of EMS capital budget toward this cause, as this will house our paramedics for the south side of the county.

2) Discussion/Decision Regarding Delegating Authority to EMS Chief to Terminate KCEMSS Contract

Commissioner Rasor made a motion to ratify the decision delegating authority to EMS to terminate KCEMSS contract as previously done by Chief Wakeley. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

JUSTICE SERVICES – Debbie Stallcup

1) Discussion/Decision Regarding Agreement with Avista for Natural Gas Extension Agreement for Juvenile Detention Center at 4002 Samuelson in Sandpoint, ID.

Commissioner Nielsen made a motion to approve the agreement with Avista and authorize the Chair to sign administratively. Commissioner Rasor seconded the motion. All in favor. The motion passed.

2) Update on Waivers with City of Sandpoint with Regards to Juvenile Detention Project

Director Stallcup updated the Board regarding the City fees and it was agreed to accept the fees; currently waiting for the building permit to be issued; the State Fire Chief looked at it and we hope it will get to Chief Tyler today. Once he reviews and approves, it then goes to Don Carter to sign off and we can get the permit. Director Stallcup spoke to the Mayor and expressed that the while the Board was thankful for waiving the permit fees they still have issues regarding the impact fees. Director Stallcup and the Board agreed to write a letter to send to the City Council requesting to be put on the agenda to discuss the impact fees, as we are paying the full amount and request to be reimbursed.

Commissioner Nielsen made a motion to approve the letter with changes to wording in second paragraph to ask for a refund instead of waiving fees since we are paying it up front and authorize the Chair to sign administratively. Commissioner Rasor seconded the motion. All in favor. The motion passed.

Director Stallcup presented updates as follows: Attended the construction meeting with Ormond Builders and discussed a notice of lien form and that they are standard; masonry work is coming from out of state but will

hire local laborers. Last item is to give kudos to Bob from the Sheriff's Department as he has to dig a ditch through the garden to the fire hydrant for the looping system and a ditch from the fire hydrant to the back of the Sheriff's office for IT to hook up phones. Bob's crew is digging this trench and laying the pipe and this has been a nice partnership.

PERSONNEL – Pam Allen

1) Recruitment, New Hires, Change of Status.

Director Pam Allen discussed the corrected Paralegal Program Manager job description as the department should be the Commissioner's Office and the Supervisor is the Prosecutor's Office.

Commissioner Rasor made a motion to approve the corrected job description for the Paralegal Program Manager. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

Director Allen discussed the following:

- Employee benefits and contributions
- Items requested from Wells Fargo
- Notification of cancellation letters for AFLAC and Blue Cross
- Reviewing new applications with Pacific Source, Willamette
- Engagement letter with Delta Dental
- Wells Fargo HSA group application

At 10:23 a.m. Commissioner Rasor made a motion to enter into an Executive Session under Idaho Code **§67-2345(A) Personnel/Hiring an agent** with Pam Allen. Commissioner Nielsen seconded the motion. All in favor: Roll Call: Commissioner Nielsen, Yes; Commissioner Rich, Aye; Commissioner Rasor, Aye. The motion passed.

At 10:30 a.m. Commissioner Rasor made a motion to adjourn the Executive Session and re-enter into an Executive Session under Idaho Code **§67-2345(B) Personnel/Performance Evaluation/Compensation** with Pam Allen and Scott Bauer. Commissioner Nielsen seconded the motion. All in favor: Roll Call: Commissioner Nielsen, Yes; Commissioner Rich, Aye; Commissioner Rasor, Aye. The motion passed.

Commissioner Nielsen made a motion to take a recess. Commissioner Rasor seconded the motion. All in favor. The motion passed.

At 10:35 a.m. Commissioner Rasor made a motion to enter into an Executive Session under Idaho Code **§67-2345(F) Litigation/Nuisance Abatement** with Deputy Prosecuting Attorney Scott Bauer. Commissioner Nielsen seconded the motion. All in favor: Roll Call: Commissioner Nielsen, Aye; Commissioner Rich, Aye; Commissioner Rasor, Aye. The motion passed.

At 11:11 a.m. Commissioner Nielsen 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.

Commissioner Rasor made a motion based on Executive Session to authorize the Prosecuting Attorney's Office, Deputy Prosecuting Attorney Scott Bauer to conclude the contract with Wendy Earl according to the terms of the contract. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

MISCELLANEOUS BUSINESS

- 1) Discussion/Decision Regarding Treasury Appropriation to TORT Fund - Resolution

Commissioner Nielsen made a motion to table this item until the Prosecuting Attorney can bring it back to us. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 2) Discussion/Decision Regarding Memorandum of Understanding with Department of Lands for Five (5) Client Licenses for the AS/400 – Computer Arts

Commissioner Nielsen made a motion to approve the Memorandum of Understanding with the Department of Lands, the State of Idaho, for 5 plant licenses for the AS/400-Computer Arts and allow the Chair to sign administratively. Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 3) Discussion/Decision Regarding DMT Certified Public Accountant Understanding of Services

Commissioner Nielsen made a motion to approve and have the Chair administratively sign both copies of the letter of engagement with our new CPA firm DMT (Decoria-Maichel-Teague). Commissioner Rasor seconded the motion. All in favor. The motion passed.

- 4) Discussion/Decision Regarding Payment for Claims in Batch #24

General Fund	\$49,113.68
Road & Bridge	\$670,056.36
Airport	\$152,876.58
Elections	\$117.31
Drug Court	\$5,087.00
District Court	\$3,830.52
911 Fund	\$9,922.25
Court Interlock	\$265.00
Health District	\$58,874.00
Indigent & Charity	\$85,249.31
Revaluation	\$1,159.30
Solid Waste	\$277,272.84
Weeds	\$5,783.43
Parks & Recreation	\$1,178.93
Justice Fund	\$91,483.20
Snowmobile Sandpoint	\$17.03
Waterways	\$7,473.76
Building and Construction	\$80,998.06
Grants	\$16,258.97

Commissioner Rasor made a motion to approve claims in Batch #24. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

5) Discussion/Decision Regarding Payment for Claims in EMS Batch #24

Ambulance District \$14738.91

Commissioner Rasor made a motion to approve claims in EMS Batch #24. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

At 11:45 a.m. Commissioner Rasor made a motion to continue this meeting at 1:30 p.m. Commissioner Nielsen seconded the motion. All in favor. The motion passed.

At 1:30 p.m. Commissioner Nielsen made a motion to continue the regular business meeting. Commissioner Rasor seconded the motion. All in favor. The motion passed.

PERSONNEL – Pam Allen - Continued

Director Allen presented 6 different options to review for the health plan. County Clerk Marie Scott stated that what is currently in the budget is based on what possible premiums might be and this is a huge impact on the budget. The Board decided that based on the volume of information they would need more time to review and marked out time tomorrow at 9 a.m. to further discuss employee benefits.

There being no further business to come before the meeting, at 1:45 p.m. Commissioner Nielsen made a motion to adjourn the business meeting. Commissioner Rasor seconded the motion. All in favor. The motion passed.

On Wednesday, August 3, 2011, Treasurer Cheryl Piehl met with the Board to discuss the following files:

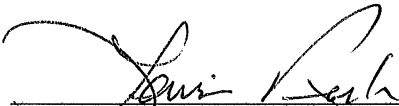
Approved: RPS36480010020A (2011), RPP00000020770A (2011), RPS012901300ALA (2011), RPS0129013001AA (2011), RPS0129013002AA (2011), RPS0129013003CA (2011), RPS0129013011BA (2011), RPN0049002031AA (2011), MH054020000010A (2011), RP58N04W171301A (2008), RPR0007004001BA (2008), RPR00000245356A (2008), RPR01480100030A (2008), RP58N04W171200A (2008), RP58N04W171860A (2008). **Denied:** RP54N0W058800A (2010); RPP00000037201A (2010).

On Wednesday, August 3, 2011, Assistance Director Kevin Rothenberger met with the Board to discuss the following files: **Approved:** 2011-251. **Denied:** 2011-092, 2011-238, 2011-264, and 2011-271.

On Wednesday, August 3, 2011 at 10:30 a.m. a Special Meeting/Executive Session was held pursuant to Idaho Code §67-2343 (2)/ pursuant to Idaho Code §67-2345 (A) regarding Personnel/Hiring.

On Thursday, August 11, 2011 at 11:30 a.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) regarding communications.

ATTEST^{??} Marie Scott, County Clerk



Lewis Rich, Chairman

By  _____
Deputy Clerk