

Bonner County

Board of Commissioners

Lewis Rich

Cornel Rasor

Mike Nielsen

MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

August 30, 2011 - 8:45 AM
Bonner County Administration Bldg.
Third Floor Conference Room
1500 Hwy 2, Suite 308, Sandpoint, ID

On Tuesday, August 30, 2011 the Bonner County Commissioners met for their regularly scheduled meeting. Commissioner Lewis Rich and Commissioner Mike Nielsen were present; Commissioner Rasor was absent.

CALL TO ORDER

Chairman Lewis Rich called the meeting to order at 8:45 a.m.

INVOCATION

Jim Osman from 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) Miscellaneous Item #8 – Discussion/Decision Regarding Bonner County DMV Parking Area, Inspection Report
- 2) Miscellaneous Item #6 - move to the first order of business
- 3) Sandpoint Airport Items #1, and #2 are to be combined and discussed in Executive Session

Commissioner Nielsen made a motion to adopt the Order of the Agenda, with changes as mentioned. Commissioner Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

MEETING UPDATES

Commissioner Nielsen: Commissioner Nielsen provided updates for the Priest River Airport Board meeting he attended and gave updates on a meeting with IDL and the Marine Division regarding a dock issue.

Commissioner Rich: Commissioner Rich provided updates on the Fair, commenting on interesting taste and flavors for the pie eating contest.

PUBLIC COMMENT

Barbara Hornby had questions for Rob Wakeley wanting updates for Spirit Lake area ambulance service particularly in Blanchard and stated cutting funds for Spirit Lake is not right. Commissioner Rich and Commissioner Nielsen both explained that there is a lot of misinformation out there regarding Spirit Lake area and after a brief discussion the Commissioners explained that Rob Wakeley was not currently present but due to arrive to the meeting shortly. However, they would forward her concerns to him so that he may provide her with correct information. Otherwise she was welcome to stay after the meeting and visit with Mr. Wakeley.

Doug Yergens commented that he wanted to support Brad Bluemer on the weed program as it has been good for his farm in Blanchard.

CONSENT AGENDA

- 1) Liquor Licenses: Catering Permit for Eichardt's Inc., Sandpoint, ID

Commissioner Nielsen made a motion to approve Consent Agenda. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

MISCELLANEOUS BUSINESS

- 6) Discussion/Decision Regarding Community Forest Trust a Pilot Project to Compliment Secure Rural Schools and Community Self Determination Act Reauthorization

After a lengthy discussion with Boundary County Commissioner Dan Dinning regarding this pilot project, Commissioner Nielsen made a motion to table this item to the next meeting to allow Commissioner Razor to be a part of this decision. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

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 is to meet with Waste Management Thursday to discuss the proposed Schweitzer collection site; and provided general updates for Weeds and Waterways-Parks & Recreation.

- 2) Discussion/Decision Regarding Approval to Advertise an RFQ for Wood Grinding for Solid Waste

Commissioner Nielsen made a motion to authorize the Solid Waste Director to submit the RFQ for Wood Grinding for fiscal year 2011-2012. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

- 3) Discussion/Decision Regarding a Weed Proposal

Commissioner Nielsen made a motion to table indefinitely until this proposal can discuss with our legal department. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

ROAD & BRIDGE – Ryan Luttmann

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

Ryan Luttmann presented updates on staff, projects and the department commenting on District 1, District 2, District 3 and the construction crew.

2) Discussion/Decision Regarding Dufort Road UPRR Crossing Agreement

Commissioner Nielsen made a motion to approve the agreement with the railroad for the Dufort railroad crossing project #A011556, key #11556, ITD agreement #7872 and AARDOT crossing #662707G. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

3) Discussion/Decision Regarding Cavanaugh Bay Road Bid Award

Commissioner Nielsen made a motion to award contract to Coeur d'Alene Paving Inc. for the unit prices listed on the Bid Submittal Form as recommended by the Road & Bridge Department for a total amount of \$439,296.25 and authorize Road & Bridge Department to proceed with the contract and signed by the Chair administratively. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

4) Discussion/Decision Regarding FEMA Project Award (PW11 DRS001C)

Commissioner Nielsen made a motion for Fish Creek Road Embankment Repair (PW11DRS001C) contract be awarded to C.E. Kramer and Contracting, Inc. for the unit prices listed on the Bid Submittal Form as recommended by the Road and Bridge Department for a total amount of \$37,004.00 and authorize the Road & Bridge Department to proceed with the contract and have this signed administratively by the Chair. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

5) Discussion/Decision Regarding FEMA Project Award (PW12 DRS002C)

Commissioner Nielsen made a motion for the Sanborn Creek Road Embankment Repair (PW12DRS002C) bid from C.E. Kramer and Contracting, Inc. be rejected as recommended by the Road and Bridge Department and authorize the Road and Bridge Department to proceed with the repair work with Bonner County staff and equipment including procurement of necessary materials and to be signed administratively by the Chair, and clarified the motion to reject is approved. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

6) Discussion/Decision Regarding FEMA Project Award (PW14 JQC002C)

Commissioner Nielsen made a motion for the Blacktail Road and Beare Road Repair (PW14JQC002C) contract be awarded to Interstate Concrete and Asphalt for the unit prices listed on the Bid Submittal Form as recommended by the Road and Bridge Department for a total amount of \$186,630.56 and authorize the Road & Bridge Department to proceed with the contract and the Chair to sign administratively. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

7) Discussion/Decision Regarding FEMA Project Award (PW28 JQC003C)

Commissioner Nielsen made a motion that the Helen Thompson Road, Wells Lane, and N. Riley Creek Road Repair (PW28JQC003C) contract be awarded to Wood's Crushing and Hauling, Inc for the unit prices listed on the Bid Submittal Form as recommended by the Road and Bridge Department for a total amount of \$214,607.88 and authorize the Road & Bridge Department to proceed with the contract and the Chair to sign administratively. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

8) Discussion/Decision Regarding FHWA Federal Emergency Relief Project State/Local Agreements

Commissioner Nielsen made a motion to approve state/local agreement project development number #A012 (934), key #12934 which is for Peninsula Road mp 133. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

Commissioner Nielsen made a motion to approve state/local agreement project development number #A012 (935), key #12935 which is for Peninsula Road mile post 605. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

Commissioner Nielsen made a motion to approve state/local agreement project development number #A012 (936), key #12936 East River. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

Commissioner Nielsen made a motion to approve state/local agreement project development number #A012 (937), key #12937, Eastriver Road. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

Commissioner Nielsen made a motion to approve state/local agreement reference #ER11-7, STC5780 Dufort Road. Chairman Rich vacated the Chair and 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 stating the Bureau of Homeland Security was here to do a spot check of equipment and we passed with good scores.

2) Discussion/Decision Regarding National Incident Management System (NIMS) Training Standards – **Resolution**

Commissioner Nielsen made a motion to approve Resolution 11-76 adopting the National Incident Management System (NIMS) training standards for Bonner County. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

3) Discussion/Decision Regarding Contract for Professional Services – Wildfire Mitigation Project Management

Commissioner Nielsen made a motion to approve the contract for Professional Services between Bonner County and Inland Forest Management to manage the Wildfire Mitigation Project. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

4) Discussion/Decision Regarding IDL Hazardous Fuels Treatment Grant Programs MOU (Grant#11SAFP 03)

Commissioner Nielsen made a motion to approve the memorandum of understanding between Idaho Department of Lands and Bonner County for the \$248,000 grant and authorize the Chair to sign administratively. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

5) Discussion/Decision Regarding Proclamation for National Preparedness Month September 2011

Commissioner Nielsen made a motion to approve the Proclamation for Bonner County National Preparedness Month, September 2011. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

PLANNING & ZONING – Clare Marley

1) Discussion/Decision Regarding Fee Waiver Request, File DP2011-016, Bonner County Public Works

Commissioner Nielsen made a motion to approve the Fee Waiver Request, File DP2011-016, Bonner County Public Works. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

2) Department Updates.

Director Clare Marley presented departmental updates: obtained a signature for the Glen Ridge replat; looking for reimbursement for travel costs for grant funded training as the training was cancelled due to flooding; ICRIMP training scheduled for November in Coeur d'Alene; due to lack of replies will extend the deadline for the Planning & Zoning District 3 vacancy to September 16; the Clagstone Meadows LLC development agreement is ¾ complete and scheduled with the Planning Commission 9/27/11; and the department received bids back on the Nell shipment project with roughly \$9,000 to expend on the completion of road work.

EMS – Rob Wakeley

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

Chief Rob Wakeley presented updates on staff, the department, calls and projects stating he will attend the 2nd meeting with Spirit Lake fire district to finalize arrangement for them to continue transports; read letter of support from medical director in Kootenai County.

2) Discussion/Decision Regarding State of Idaho Department of Health and Welfare Subgrant HC730200

Commissioner Nielsen made a motion to approve state grant, subgrant # HC730200 to Bonner County EMS in the amount of \$1,695 and authorize the Chair to sign administratively. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

MISCELLANEOUS BUSINESS CONTINUED

1) Discussion/Decision Regarding Approval of Project Drawing and Proposal for Bonner County Courthouse

Commissioner Nielsen made a motion to continue this item until a date to be determined when Commissioner Rasor is available. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

2) Discussion/Decision Regarding Ratification of Payment to LarsonAllen for Audit Services

Commissioner Nielsen made a motion to approve the payment to LarsonAllen for audit services as agreed last week. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

3) Discussion/Decision Regarding Grant Fund, Budget Adjustment - **Resolution**

Commissioner Nielsen made a motion to approve Resolution 11-77 for Grant Fund, Budget Adjustment. Chairman Rich vacated the Chair and 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, the department, calls, projects and Enhanced 911 and stated that he is in process of ordering parts as lightening has apparently damaged various electronics; and provided updates on testing in Clark Fork.

BUILDINGS AND GROUNDS – Ed Buzbee

- 1) Discussion/Decision Regarding Bonner County Jail ADA Fee Agreement

Commissioner Nielsen made a motion to approve contract with CTA and Bonner County for the Bonner County Jail ADA fee agreement and have the Chair sign administratively. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

MISCELLANEOUS BUSINESS CONTINUED

- 8) Discussion/Decision Regarding Bonner County DMV Parking Area – Inspection Report

No motion was made at this time and Commissioner Nielsen requested an update from Ed Buzbee on the DMV parking area regarding the use of the drive through.

SHERIFF'S DEPARTMENT – Bob Bussey

- 1) Discussion/Decision Regarding Medical Service Contract

Commissioner Nielsen made a motion to approve the Medical Service Contract between Bonner County and Dr. Rob Fuller, and to be signed by all three Commissioners upon receipt of an original contract. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

MISCELLANEOUS BUSINESS CONTINUED

- 4) Discussion/Decision Regarding Indigent Assistance Description and Delineation of Medical Services Policy - **Resolution**

Commissioner Nielsen made a motion to approve Resolution #11-78 care for medically indigent, description and delineation of medical services for Bonner County assistance. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

5) Discussion/Decision Regarding Non-Medical Indigent Assistance Policy - **Resolution**

Commissioner Nielsen made a motion to approve Resolution #11-79 for non-medical indigent assistance for Bonner County assistance. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

7) Discussion/Decision Regarding Request for Vacating Easement at Prosecuting Attorney's Office

Commissioner Nielsen made a motion to continue for another week. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed

PERSONNEL – Pam Allen

1) Recruitment, New Hires, Change of Status.

Director Pam Allen provided change of status sheets, and 3 matters for executive session.

Commissioner Nielsen made a motion to approve the personnel changes as presented by Human Resource Director Pam Allen. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

At 10:50 a.m. Commissioner Nielsen made a motion to enter into an Executive Session under Idaho Code **§67-2345(B) Personnel Hire/Performance** with Director Pam Allen. Commissioner Rich vacated the Chair and seconded the motion. All in favor: Roll Call: Commissioner Nielsen, Yes; Commissioner Rich, Aye. The motion passed

At 11:25 a.m. Commissioner Nielsen made a motion to adjourn the Executive Session and reconvene the regular business meeting. Commissioner Rich vacated the Chair and seconded the motion. All in favor. The motion passed.
2:06:50

Commissioner Nielsen made a motion to approve the change of status from full-time to on-call and allow the Chief of Medical Services to handle. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

At 11:28 a.m. Commissioner Nielsen made a motion to enter into an Executive Session under Idaho Code **§67-2345(B) Personnel/Reduction of Force** with HR Director Pam Allen and Clare Marley of Planning and Zoning. Commissioner Rich vacated the Chair and seconded the motion. All in favor: Roll Call: Commissioner Nielsen, Yes; Commissioner Rich, Aye. The motion passed.

At 11:34 a.m. Commissioner Nielsen made a motion to adjourn the Executive Session and reconvene the regular business meeting. Commissioner Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

At 11:37 a.m. Commissioner Nielsen made a motion to enter into an Executive Session under Idaho Code **§67-2345(B) Personnel Hire/Employee Recognition** with Director Pam Allen. Commissioner Rich vacated the Chair and seconded the motion. All in favor: Roll Call: Commissioner Nielsen, Yes; Commissioner Rich, Aye. The motion passed.

209

At 11:41 a.m. Commissioner Nielsen made a motion to adjourn the Executive Session and reconvene the regular business meeting. Commissioner Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

Commissioner Nielsen made a motion to deny this particular nomination for a cost savings reduction program. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

At 11:45 a.m. Commissioner Nielsen made a motion to enter into an Executive Session under Idaho Code §67-2345(F) Litigation with Scott Bauer regarding the Sandpoint Airport. Commissioner Rich vacated the Chair and seconded the motion. All in favor: Roll Call: Commissioner Nielsen, Yes; Commissioner Rich, Aye. The motion passed

At 11:55 a.m. Commissioner Nielsen made a motion to adjourn the Executive Session and reconvene the regular business meeting. Commissioner Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

Commissioner Nielsen made a motion to authorize the Director of Planning & Zoning to proceed with the reduction of force. Chairman Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

Commissioner Rich stated that due to an email he received from Mr. Nielsen which was copied to others, he intends to disclose for the record, the contents of that information which is caustic towards me and alleging me of wrongdoing which Commissioner Rich thoroughly denies and after the advise of our council and a personal attorney I am going proceed with what I need to do protect myself from misinformation.

There being no further business to come before the meeting, at 12:10 p.m. Commissioner Nielsen made a motion to adjourn the business meeting. Commissioner Rich vacated the Chair and seconded the motion. All in favor. The motion passed.

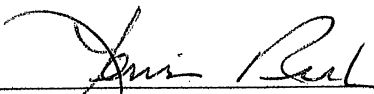
On Wednesday, August 24, 2011, Treasurer Cheryl Piehl met with the Board to discuss the following files: **Approved:** RPR00000245241A 2008-2010, PPS363500002AZT 2010, PP55N02W177801A 2011; **Denied:** PPS0196005005AA 2010.

On Wednesday, August 24, 2011, Assistance Director Kevin Rothenberger met with the Board to discuss the following files: **Approved:** 2011-188 Appealed Case, 2011-253 Amended Approval. **Denied:** 2011-259, 2011-260, 2011-270, 2011-276, and 2011-280 Dismissal.

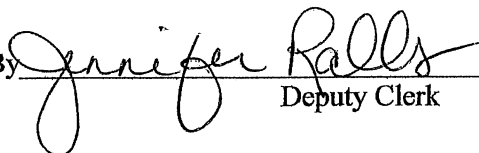
On Wednesday, August 24, 2011 at 8:00 a.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) regarding adoption of the budget.

On Wednesday, August 24, 2011 at 10:00 a.m. a Special Meeting was held pursuant to Idaho Code §67-2343(2) with LarsonAllen, LLP.

ATTEST" Marie Scott, County Clerk



Lewis Rich, Chairman

By 

Deputy Clerk