



Bonner County

Board of Commissioners

Dan McDonald

Steve Bradshaw

Jeff Connolly

MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

January 14, 2020 – 9:00 A.M.

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

On Tuesday, January 14, 2020 the Bonner County Commissioners met for their regularly scheduled meeting with Commissioners McDonald, Bradshaw & Connolly present, and Chairman McDonald called the meeting to order at 9:00 a.m. The Invocation was presented by Rick McLeod and the Pledge of Allegiance followed.

ADOPT ORDER OF THE AGENDA

Commissioner Connolly made a motion to add an Executive Session under Idaho Code § 74-206 (1) (D) Records Exempt Specifically § 74-105 Exempt Records Relating to Critical Infrastructure, Action Item: Discussion/Decision Regarding Records Exempt. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

Commissioner Connolly made a motion to approve the consent agenda as presented. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

PUBLIC COMMENT –

-Steve Klatt thanked Mike Brown and his news reporting throughout the years

-Rebecca Holland spoke regarding records requests submitted related to Davillier Law Group and the Festival of Sandpoint lawsuit

-Doug Paterson, thanked the commissioners for protecting the right to keep and bear

-Don Holland, spoke regarding the tax payers that live in Sandpoint are being taxed both from the city and county in regards to the Festival of Sandpoint lawsuit

CONSENT AGENDA – Action Item

- 1) Bonner County Commissioners' Minutes for January 7, 2020
- 2) Liquor License: Priest Lake Golf Course, Priest Lake, ID

Commissioner Bradshaw made a motion to approve the consent agenda as presented. Commissioner Connolly seconded the motion. All in favor. The motion passed.

CLERK – Michael Rosedale (*Charlie Wurm Presented Item #3*)

- 1) Action Item: Discussion/Decision Regarding FY20 Claims in Batch #9 \$743,307.02; **Totaling \$743,307.02**

Claims Batch #9	
General Fund	\$ 92,257.64
Road & Bridge	\$ 93,570.51
Airport	\$ 1,303.99

Elections	\$ 85.11
District Court	\$ 4,014.10
911 Fund	\$ 13,080.61
Court Interlock	\$ 160.00
Indigent and Charity	\$ 2,187.81
Revaluation	\$ 714.63
Solid Waste	\$ 391,515.96
Tort	\$ 14,202.94
Weeds	\$ 10.14
Parks & Recreation	\$ 39.81
Justice Fund	\$ 43,026.64
Waterways	\$ 1,268.94
Grants	\$ 58,924.19
Auditors Trust	\$ 26,944.00
Total	\$ 743,307.02

Commissioner Connolly made a motion to approve payment of the FY20 Claims in Batch #9 Totaling \$743,307.02. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

2) Action Item: Discussion/Decision Regarding FY20 EMS Claims Batch #9 \$11,154.93; **Totaling \$11,154.93**

EMS Claims Batch #9	
Ambulance District	\$ 11,154.93

Commissioner Bradshaw made a motion to approve payment of the FY20 EMS Claims in Batch #9 Totaling \$11,154.93. Commissioner Connolly seconded the motion. All in favor. The motion passed.

3) Action Item: Discussion/Decision Regarding Designation of Polling Places by Precinct for the 2020 Election Year; **Resolution**

Commissioner Connolly made a motion to approve Resolution #2020-04 that lists the Polling Places in Exhibit A, the Voting Precincts in Exhibit B for the year 2020. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

AIRPORT – Dave Schuck

- 1) Action Item: Discussion/Decision Regarding FAA Airport Improvement Program Grant Application, Priest River Airport; **\$22,000.00 Match**

Commissioner Bradshaw made a motion to apply for this grant and that the Chairman sign administratively. Commissioner Connolly seconded the motion. All in favor. The motion passed.

TECHNOLOGY – Bonnie Glazier

- 1) Action Item: Discussion/Decision Regarding Budget Adjustment, “A” and “D” Transfer to “B”; **Resolution**

Commissioner Connolly made a motion to approve Resolution #2020-05 for A and D fund transfer to B. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

JUSTICE SERVICES – Ron Stultz

- 1) Action Item: Discussion/Decision Regarding Destruction of Juvenile Resident Records – Date of Birth 1998 to 1999; **Resolution**

Commissioner Bradshaw made a motion to approve Resolution #2020-06 the destruction of juvenile resident “temporary records”, as described above, held by the Bonner County Juvenile Detention Center for residents with birthdates ranging from January 1, 1998 to December 31, 1999, pursuant to Idaho Code Section, 31-871 (c), as approved by legal. Commissioner Connolly seconded the motion. All in favor. The motion passed.

- 2) Action Item: Discussion/Decision Regarding Destruction of Juvenile Detention Facility Records – 2016 to 2017; **Resolution**

Commissioner Connolly made a motion to approve Resolution #2020-07 the destruction of Bonner County Juvenile Detention facility “temporary records”, as described above, held by the Bonner County Juvenile Detention Center for the years 2016 to 2017, pursuant to Idaho Code Section 31-871 (c), as approved by legal. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

- 3) Action Item: Discussion/Decision Regarding Budget Adjustment, Unanticipated Revenue, Detention Contracts; **Resolution**

Commissioner Bradshaw made a motion to approve Resolution #2020-08 ordering the Clerk to schedule revenue in the Juvenile Detention FY2020 budget, Revenue Account No. 034-03475-4990 – JUVENILE DETENTION BILLING for use as additional funding for Juvenile Detention FY2020 Budget, Account No. 034-03475-6110 – OVERTIME in the amount of \$10,000.00 and for use as additional funding for Juvenile Detention FY2020 Budget, Account No. 034-75-7430 – REPAIRS & MAINTENANCE BUILDINGS/FIXTURES/GROUNDS in the amount of \$59,979.85. This adjustment is due to the receipt of unanticipated revenue received from parent billings and contracts for housing juvenile offenders in the Bonner County Juvenile Detention Center. Commissioner Connolly seconded the motion. All in favor. The motion passed.

- 4) Action Item: Discussion/Decision Regarding Budget Adjustment, Unanticipated Revenue, Lottery Tax; **Resolution**

Commissioner Connolly made a motion to approve Resolution #2020-09 ordering the Clerk to schedule revenue in the Probation Services FY2020 budget, Account No. 006-00661-9390 – Capital – Vehicles by \$13,699.00 from \$27,000.00 to \$40,699.00. This adjustment is due to the receipt of unanticipated Lottery Tax revenue received from the State of Idaho. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

- 5) Action Item: Discussion/Decision Regarding Budget Adjustment, Unanticipated Revenue, Cigarette Tax; **Resolution**

Commissioner Bradshaw made a motion to approve Resolution #2020-10 ordering the Clerk to schedule revenue in the Probation Services FY2020 budget, Account No. 006-00661-7900 Cigarette Tax Carryover by \$83,205.00 from \$30,000.00 to \$113,205.00. This adjustment is due to the receipt of unanticipated Cigarette Tax revenue received from the State of Idaho. Commissioner Connolly seconded the motion. All in favor. The motion passed.

RECREATION – Nate Demmons

- 1) Action Item: Discussion/Decision Regarding Garfield Bay Vault Bathroom; **\$16,100.00**

Commissioner Connolly made a motion to approve the quote from Missoula Concrete of \$16,100.00 and give authority for the Recreation Manager to purchase the vault bathroom using vessel account funds. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

2) Action Item: Discussion/Decision Regarding Request for Retention of County Vessel Funds

Commissioner Bradshaw made a motion to approve the request for retention of surplus monies in the county vessel funds in the amount of \$73,407.05 and that money will be spent for waterway projects in the fiscal year 2020. Commissioner Connolly seconded the motion. All in favor. The motion passed.

ROAD & BRIDGE – Steve Klatt (*Matt Mulder Presented*)

1) Action Item: Discussion/Decision Regarding FY2022 Local Highway Safety Improvement Program – ROW Clearing & Brushing

Commissioner Connolly made a motion to support the FY2022 Local Highway Safety Improvement Program grant application and authorize the Chairman to sign the grant form and authorize the Road & Bridge Department to move forward with the grant submittal to the Local Highway Technical Assistance Council. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

PROSECUTOR – Louis Marshall (*Scott Bauer Presented*)

1) Action Item: Discussion/Decision Regarding Davillier Retainer Agreement, General Aviation Matters
Commissioner Bradshaw made a motion to approve the updated retainer agreement with Davillier Law Group for Aviation Matters. Commissioner Connolly seconded the motion. All in favor. The motion passed.

2) Action Item: Discussion/Decision Regarding Davillier Retainer Agreement, General Matters
Commissioner Connolly made a motion to approve the updated retainer agreement with Davillier Law Group for General Matters. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

3) Action Item: Discussion/Decision Regarding Davillier Retainer Agreement, War Memorial Field – Firearm Ban Litigation

Commissioner Bradshaw made a motion to approve the updated retainer agreement with Davillier Law Group for the War Memorial Field Matter. Commissioner Connolly seconded the motion. All in favor. The motion passed.

BOCC – (*Commissioner McDonald Presented*)

1) Action Item: Discussion/Decision Regarding Letter of Support to Increase the Judiciary in the First Judicial Court

Commissioner Connolly made a motion to approve the letter of support to the Idaho Supreme Court to increase the judiciary in the First Judicial District. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

At 9:47 a.m. the meeting was recessed.

At 9:59 a.m. the meeting was reconvened.

EXECUTIVE SESSION – Human Resources

1) Executive Session under Idaho Code § 74-206 (1) (A) Hiring with Cindy Binkerd
Action Item: Discussion/Decision Regarding Hiring

At 9:59 a.m. Commissioner Bradshaw moved to enter into Executive Session under Idaho Code §74-206 (1) (A) Hiring with Cindy Binkerd. Commissioner Connolly seconded the motion. Roll Call Vote: Commissioner McDonald – Aye, Commissioner Connolly – Aye, Commissioner Bradshaw – Aye.

Commissioner McDonald reconvened the meeting at 10:12 a.m.

EXECUTIVE SESSION – Human Resources

1) Executive Session under Idaho Code § 74-206 (1) (B) Personnel with Cindy Binkerd

Action Item: Discussion/Decision Regarding Personnel

At 10:12 a.m. Commissioner Connolly moved to enter into Executive Session under Idaho Code §74-206 (1) (B) Personnel with Cindy Binkerd. Commissioner Bradshaw seconded the motion.

Roll Call Vote: Commissioner McDonald – Aye, Commissioner Connolly – Aye, Commissioner Bradshaw – Aye.

Commissioner McDonald reconvened the meeting at 10:18 a.m.

EXECUTIVE SESSION – Prosecutor’s Office

- 1) Executive Session under Idaho Code § 74-206 (1) (F) Litigation with Bill Wilson
Action Item: Discussion/Decision Regarding Litigation

At 10:18 a.m. Commissioner Bradshaw moved to enter into Executive Session under Idaho Code §74-206 (1) (F) Litigation with Bill Wilson. Commissioner Connolly seconded the motion. Roll Call Vote: Commissioner McDonald – Aye, Commissioner Connolly – Aye, Commissioner Bradshaw – Aye.

Commissioner McDonald reconvened the meeting at 10:33 a.m.

EXECUTIVE SESSION – Prosecutor’s Office & Justice Services

- 1) Executive Session under Idaho Code § 74-206 (1) (D) Records Exempt
Action Item: Discussion/Decision Regarding Letter to DJI

At 10:33 a.m. Commissioner Connolly moved to enter into Executive Session under Idaho Code §74-206 (1) (D) Records Exempt with Prosecutor’s Office & Justice Services. Commissioner Bradshaw seconded the motion. Roll Call Vote: Commissioner McDonald – Aye, Commissioner Connolly – Aye, Commissioner Bradshaw – Aye.

Commissioner McDonald reconvened the meeting at 10:45 a.m.

Commissioner Connolly made a motion to approve the letter to DJI requesting that the “no fly zone” above the Bonner Co. Juvenile Detention Center be lifted for the sole purpose of Topographic Surveying data collection by Advanced Technology Surveying, Inc. as approved by legal and authorize Ron Stultz, Director of Bonner Co. Justice Services, to sign the same. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

EXECUTIVE SESSION – Sheriff’s Office

- 1) Executive Session under Idaho Code § 74-206 (1) (D) Records Exempt Specifically § 74-105 Exempt Records Relating to Critical Infrastructure
Action Item: Discussion/Decision Regarding Records Exempt

At 10:47 a.m. Commissioner Connolly moved to enter into Executive Session under Idaho Code §74-206 (1) (D) Records Exempt with Sheriff’s Office. Commissioner Bradshaw seconded the motion. Roll Call Vote: Commissioner McDonald – Aye, Commissioner Connolly – Aye, Commissioner Bradshaw – Aye.

Commissioner McDonald reconvened the meeting at 11:47 a.m.

There being no further business to come before the meeting Chairman McDonald adjourned the Meeting at 11:47 a.m.

The following is a summary of the Board of County Commissioners

**Special Meetings, (including Tax Cancellations, Assistance Meetings/Admin and other) Executive Sessions,
Emergency Meetings and Hearings held during the week of January 7, 2019 – January 13, 2020
Copies of the complete meeting minutes are available upon request.**

On Wednesday, January 8, 2020 Tax Cancellations were held pursuant to Idaho Code §74-204(2). The following files were Approved: MH006200010020A, MH56N02W255710A, MH58N01W02540A, MH58N01W03300LA, MH02462000026AA, MHC16540000370A, MH012540000020A, MHC16540000350A, MHC16540000360A, MHC00000358803A, MH007020000200A, MH59N02W039150A, MH54N04W15190CA, MHS0500040003BA, RP54N03W110600A, RP & MH0081500010B0A, RPS73190000170A, RP56N05W276650A, RP57N03W244650A; Denied: RP025160010110A, RP013710000030A, RP56N02W268500A

On Wednesday, January 8, 2020 an Assistance was held pursuant to Idaho Code §74-204(2). The following files were Approved: 2020-016, 2020-018 & 2020-019

On Wednesday, January 8, 2020 a Special Meeting regarding Energov was held pursuant to Idaho Code §74-204(2).

On Wednesday, January 8, 2020 a Planning Hearing was held pursuant to Idaho Code §74-204(2). Commissioner Bradshaw made a motion to approve I move to approve this project, FILE AM0008-19, requesting a comprehensive plan amendment for the subject property from Agricultural Forest to Transition, finding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan and Bonner County Revised Code 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 McDonald stepped down from the Chair and seconded the motion. All in favor. The motion passed.

Commissioner Bradshaw made a motion to approve resolution #2020-03 amending the Bonner County Projected Land Use Map. Commissioner McDonald stepped down from the Chair and seconded the motion. All in favor. The motion passed. Commissioner Bradshaw made a motion to approve this project, FILE ZC0007-19, requesting a Zone Change from Rural Service Center and A/F-10 to Commercial, finding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan and Bonner County Revised Code 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 McDonald stepped down from the Chair and seconded the motion. All in favor. The motion passed. Commissioner Bradshaw made a motion to approve an Ordinance of Bonner County, Idaho, the number to be assigned, citing its authority, and providing for the amendment of the Official Zoning Map of Bonner County by the reclassification of lands located in Section 1, Township 54 North, Range 6 West, Boise Meridian, Bonner County, Idaho from AF-10 Rural Service Center to Commercial, and providing for an effective date. I further move to authorize the Chair to sign the official supplementary zoning map upon publication of the ordinance. Commissioner McDonald stepped down from the Chair and seconded the motion. Roll call Vote: Commissioner McDonald – Aye, Commissioner Bradshaw – Aye. All in favor. The motion passed. Commissioner Bradshaw made a motion to approve this project, FILE ZC0005-19, requesting a zone change from Ag/Forest-20 to Ag/Forest-10 for the purpose of dividing the twenty (20) acre parcel into two ten (10) acre lots, finding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan and Bonner County Revised Code 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 McDonald stepped down from the Chair and seconded the motion. All in favor. The motion passed. Commissioner Bradshaw made a motion to approve an Ordinance of Bonner County, Idaho, the number to be assigned, citing its authority, and providing for the amendment of the Official Zoning Map of Bonner County by the

reclassification of lands located in Section 2, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Idaho from A/F-20 to A/F-10, and providing for an effective date. I further move to authorize the Chair to sign the official supplementary zoning map upon publication of the ordinance. Commissioner McDonald stepped down from the Chair and seconded the motion. Roll Call Vote: Commissioner McDonald – Aye, Commissioner Bradshaw – aye. All in favor. The motion passed. Commissioner Bradshaw made a motion to approve this project, FILE ZC0006-19, requesting a zone change from Rural Service Center to Commercial, finding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan and Bonner County Revised Code 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 McDonald stepped down from the Chair and seconded the motion. All in favor. The motion passed. Commissioner Bradshaw made a motion to approve an Ordinance of Bonner County, Idaho, the number to be assigned, citing its authority, and providing for the amendment of the Official Zoning Map of Bonner County by the reclassification of lands located in Section 5, Township 55 North, Range 2 West, Boise Meridian, Bonner County, Idaho from Rural Service Center to Commercial, and providing for an effective date. I further move to authorize the Chair to sign the official supplementary zoning map upon publication of the ordinance. Commissioner McDonald stepped down from the Chair and seconded the motion. Roll Call Vote: Commissioner McDonald – Aye, Commissioner Bradshaw – Aye. All in favor. The motion passed.

On Thursday, January 9, 2020 an Executive Session regarding Litigation was held pursuant to Idaho Code §74-204(2) and to Idaho Code §74-206(1)(F).

On Friday, January 10, 2020 a Technology Update was held pursuant to Idaho Code §74-204(2).

On Monday, January 13, 2020 a Road & Bridge Update was held pursuant to Idaho Code §74-204(2).


ATTEST: Michael W. Rosedale



Dan McDonald, Chairman

1/21/20

Date

By 

Deputy Clerk