



# Bonner County

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## Board of Commissioners

Dan McDonald

Steve Bradshaw

Jeff Connolly

### MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

August 9, 2022 – 9:00 A.M.

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

On Tuesday, August 9, 2022 the Bonner County Commissioners met for their regularly scheduled meeting with Commissioners McDonald, Connolly & Bradshaw present. Commissioner McDonald called the meeting to order at 9:00 a.m. The Invocation was presented by Janine Shepard and the Pledge of Allegiance followed.

#### ADOPT ORDER OF THE AGENDA

Commissioner Bradshaw made a motion to REMOVE Engineering Item #1 Action Item: Discussion/Decision Regarding Revised Contract, Design of EMS Station No. 1 and Office Facility. Commissioner Connolly seconded the motion. All in favor. The motion passed.

Commissioner Bradshaw made a motion to adopt the order of agenda as Amended. Commissioner Connolly seconded the motion. All in favor. The motion passed.

#### PUBLIC COMMENT –

- David Mann, Chris Davis & Elizabeth Iha spoke regarding his concern of an MLD on the consent agenda
- Dr. Becky Meyer, new Superintendent of Lake Pend Oreille School District, introduced herself

#### CONSENT AGENDA – Action Item

- 1) Bonner County Commissioners' Minutes for August 2, 2022
- 2) Plats for Approval: B and B Ranch File #MLD0029-22, Mountain View Kraly File #MLD0052-22, Howard Ranch File #MLD0069-22, Noderer Woods East File #MLD0043-22, Stillmeadow Acres File #MLD0016-22
- 3) Invoices Over \$5K: EMS (2), Sheriff

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

#### CLERK – Michael Rosedale (Nancy Twineham Presented Items #3 & #4)

- 1) Action Item: Discussion/Decision Regarding FY22 Claims Batch #22 \$673,735.37 & Demands in Batch #22 \$346,666.02; **Totaling \$1,020,401.39**

Claims Batch #22	
General Fund	\$ 39,000.75
Road & Bridge	\$ 307,387.61
Airport	\$ 439.48
Elections	\$ 50.00

Drug Court	\$	97.57
District Court	\$	11,467.90
911 Fund	\$	9,204.53
Revaluation	\$	536.31
Solid Waste	\$	161,515.12
Tort	\$	4,425.12
Weeds	\$	178.25
Parks & Recreation	\$	559.16
Justice Fund	\$	84,568.76
Waterways	\$	1,055.75
Grants	\$	38,689.06
Northside Fire	\$	12,560.00
Auditors Trust	\$	2,000.00
Total	\$	673,735.37

Claims Batch #22		
Demands	\$	346,666.02

Commissioner Bradshaw made a motion to approve payment of the FY22 Claims and Demands in Batch #22 Totaling \$1,020,401.39. Commissioner Connolly seconded the motion. All in favor. The motion passed.

- 2) Action Item: Discussion/Decision Regarding FY22 EMS Claims Batch #22 \$23,263.71; **Totaling \$23,263.71**

EMS Claims Batch #22		
Ambulance District	\$	23,263.71

Commissioner Connolly made a motion to approve payment of the FY22 EMS Claims in Batch #22 Totaling \$23,263.71. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

- 3) Action Item: Discussion/Decision Regarding Adoption of the Federal Procurement Policy  
 Commissioner Bradshaw made a motion to approve the Federal Procurement Policy to comply with Uniform Guidance, 2 CFR 200.318, requiring all non-federal entities to have a written policy supporting compliance. Commissioner Connolly seconded the motion. All in favor. The motion passed.

- 4) Action Item: Discussion/Decision Regarding Unanticipated Revenue, EMS, **Resolution**  
 Commissioner Connolly made a motion to approve Resolution #2022-60 and open up the FY2022 Budget and approve the Transfer of \$800,300.00 from the ARPA trust account to account 99918-8707 (ARPA Covid Mitigation). Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

**ELECTIONS – Michael Rosedale**

- 1) Action Item: Discussion/Decision Regarding Purchase, Five (5) Additional Electronic Poll Books; **\$5,295.00**

Commissioner Bradshaw made a motion to approve the purchase of 5 Electronic Poll Books from Tenex Software Solutions for the amount of \$5,295.00 with a recurring annual license and maintenance fee that is estimated to be \$625.00 per year. Commissioner Connolly seconded the motion. All in favor. The motion passed.

**SHERIFF** – Daryl Wheeler (*Cindy Wright Presented*)

1) Action Item: Discussion/ Decision Regarding Budget Transfer, Jail “A” to “B”; **Resolution**  
Commissioner Connolly made a motion to approve Resolution #2022-61 authorizing the Clerk to open the Jail “A” budget and transfer from 03478-6020 Salaries to the “B” budget and increase line item 03461-7860 – Misc. Expenses by \$87,000.00. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

**EMERGENCY MANAGEMENT** – Bob Howard

1) Action Item: Discussion/Decision Regarding Memorandum of Understanding, Idaho Department of Lands, Grant #21 WFM-Bonner

Commissioner Bradshaw made a motion to approve the Memorandum of Understanding Grant #21 WFM-Bonner in the amount of \$240,000.00 and allow the chair to sign. Commissioner Connolly seconded the motion. All in favor. The motion passed.

2) Action Item: Discussion/Decision Regarding Contract for Hazardous Fuels Treatment, Backwoods Forestry Mulching LLC

Commissioner Connolly made a motion to approve and sign the Contract for Hazardous Fuels Treatment between Bonner County and Backwoods Forestry Mulching LLC for project work on the BONFire program funded by an Idaho Department of Lands Grant with no County match. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

3) Action Item: Discussion/Decision Regarding Memorandum of Understanding, Blanchard Community Center, Shelter and Care Services during an Emergency

Commissioner Bradshaw made a motion to approve and sign the MOU between Bonner County and the Blanchard Community Center for shelter and care services during an emergency. Commissioner Connolly seconded the motion. All in favor. The motion passed.

**ROAD & BRIDGE** – Jason Topp

1) Action Item: Discussion/Decision Regarding Purchase of Pit Run and Gravel Materials to Repair Lower Mosquito Creek Road; **\$37,007.00 Estimated**

Commissioner Connolly made a motion to approve this purchase of pit run and gravel materials from Peak Sand and Gravel, Inc. at the unit prices as listed on the quote. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

**AIRPORT** – Dave Schuck

1) Action Item: Discussion/Decision Regarding 2021 FAA Airport Improvement Program Grant, Sandpoint Airport Recommendation to Contract Business Waste Removal

Commissioner Bradshaw made a motion to approve hiring a contractor to remove this business waste for a fee not exceeding \$10,000.00. Commissioner Connolly seconded the motion. All in favor. The motion passed.

**HUMAN RESOURCES** – Cindy Binkerd

1) Action Item: Discussion/Decision Regarding Personnel Policy Manual, Missouri State  
Commissioner Connolly made a motion to approve the Missouri State policy addendum to the Bonner County Personnel Policy Manual effective August 9, 2022. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

**REMOVED - ENGINEERING** – Spencer Ferguson

1) Action Item: Discussion/Decision Regarding Revised Contract, Design of EMS Station No. 1 and Office Facility

**BOCC** – Jessi Webster (*Commissioner Connolly Presented*)

1) Action Item: Discussion/Decision Regarding Letter of Support, Forest Legacy Program FY24 Spirit of Mt. Spokane

Commissioner Connolly made a motion to approve the Letter of Support regarding the Forest Legacy Program FY24 Spirit of Mt. Spokane to the Idaho Department of Lands. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

Meeting was recessed at 9:43 a.m.  
Meeting was reconvened at 9:50 a.m.

#### **EXECUTIVE SESSION**

- 1) Executive Session under Idaho Code § 74-206 (1) (F) Litigation  
Action Item: Discussion/Decision Regarding Litigation
    - A. Action Item: Discussion/Decision Regarding Contract Creason, Moore, Dokken, & Geidl, PLLC (Updated from 7/19/2022)
    - B. Action Item: Discussion/Decision Regarding Contract Creason, Moore, Dokken, & Geidl, PLLC
- At 9:50 a.m. Commissioner Bradshaw made a motion to go into Executive Session under Idaho Code § 74-206 (1) (F) Litigation. Commissioner Connolly seconded the motion. Roll Call Vote: Commissioner McDonald – aye. Commissioner Connolly – aye. Commissioner Bradshaw – Aye. All in favor. The motion passed.

The meeting was reconvened at 10:01 a.m.

Commissioner Connolly made a motion to approve the contract with Creason, Moore, Dokken, & Geidl, PLLC (“CMDG”). The BOCC has a constitutional right to employ counsel when necessary. On December 22, 2021 the Prosecutor notified the BOCC that his office would not be providing legal counsel or representation to the Board. Without assistance, the BOCC felt it necessary to retain outside counsel since it was deprived of the support to which it was entitled. Commissioner Bradshaw seconded the motion. All in favor. The motion passed.

Commissioner Bradshaw made a motion to approve the contract with Creason, Moore, Dokken, & Geidl, PLLC (“CMDG”). The BOCC is the only entity with authority if the county or a county officer requires outside counsel. The BOCC has, at no time, authorized Kutak Rock, LLP or any representatives thereof to act as counsel for the county or any county officer. The BOCC has determined it necessary to retain outside counsel to address the representation of the county by Kutak Rock, LLP/Heather Yakely. Commissioner Connolly seconded the motion. All in favor. The motion passed.

Commissioner McDonald adjourned the meeting at 10:03 a.m.

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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 August 2, 2022 – August 8, 2022  
Copies of the complete meeting minutes are available upon request.

On Wednesday, August 3, 2022 Assistance was held pursuant to Idaho Code §74-204 (2). The Following Files were Denied: 2019-068, 2019-081 & 2022-005.

On Tuesday, August 2, 2022, an HR Workshop was held pursuant to Idaho Code §74-204 (2).

On Tuesday, August 2, 2022 Wednesday, August 3, 2022 and Monday, August 8, 2022 Budget Workshops were held pursuant to Idaho Code §74-204 (2).

On Monday, August 8, 2022 a Bid Opening for Road & Bridge was held pursuant to Idaho Code §74-204 (2).

On Monday, August 8, 2022 a Road & Bridge Update was held pursuant to Idaho Code §74-204 (2).

ATTEST: Michael W. Rosedale

  
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Dan McDonald, Chairman

By   
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Deputy Clerk

  
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Date

*James M. [unclear]*

*[unclear]*  
12/12/12