



Bonner County

Board of Commissioners

Dan McDonald

Steve Bradshaw

Jeff Connolly

MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

December 27, 2022 – 9:00 A.M.

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

On Tuesday, December 27, 2022, the Bonner County Commissioners met for their regularly scheduled meeting with Commissioners McDonald & Connolly present. Commissioner McDonald called the meeting to order at 9:00 a.m. The Invocation was presented by Ken Lawrence and the Pledge of Allegiance followed.

ADOPT ORDER OF THE AGENDA

Commissioner Connolly made a motion to adopt the order of agenda as presented. Commissioner McDonald stepped down from the Chair and seconded the motion. All in favor. The motion passed.

PUBLIC COMMENT –

None

CONSENT AGENDA – Action Item

- 1) Bonner County Commissioners' Minutes for December 20, 2022
- 2) Liquor Licenses: Surf Shack, Blanchard, ID; Paddler's Ale House, Ponderay, ID, Timber Town Beer Company, Priest River, ID; Cavanaugh's At Priest Lake, Coolin, ID
- 3) Invoices Over \$5K: Sheriff (2), Technology (2), Solid Waste

Commissioner Connolly made a motion to approve the Consent Agenda as presented. Commissioner McDonald stepped down from the Chair and seconded the motion. All in favor. The motion passed.

CLERK – Michael Rosedale

- 1) Action Item: Discussion/Decision Regarding FY23 Claims Batch #6 \$448,146.98 & Demands in Batch #6 \$322,992.83; **Totaling \$771,139.81**

Commissioner Connolly made a motion to approve payment of the FY23 Claims and Demands in Batch #6 Totaling \$771,139.81. Commissioner McDonald stepped down from the Chair and seconded the motion. All in favor. The motion passed.

- 2) Action Item: Discussion/Decision Regarding FY23 EMS Claims Batch #6 \$46,630.72; **Totaling \$46,630.72**

Commissioner Connolly made a motion to approve payment of the FY23 EMS Claims in Batch #6 Totaling \$46,630.72. Commissioner McDonald stepped down from the Chair and seconded the motion. All in favor. The motion passed.

HUMAN RESOURCES – Cindy Binkerd

- 1) Action Item: Discussion/Decision Regarding Employee Handbook Addendum, Montana State
Commissioner Connolly made a motion to approve the requested changes to Bonner County Personnel Policy Manual by adding the Montana State Addendum which specifically pertains to employees who work in the State of

Montana effective December 27, 2022. Commissioner McDonald stepped down from the Chair and seconded the motion. All in favor. The motion passed.

2) **Action Item: Discussion/Decision Regarding Request to Recruit, One Position**
Commissioner Connolly made a motion to approve commencing with recruitment for Detention Sergeant, Sheriff's Office Jail, December 27, 2022. Commissioner McDonald stepped down from the Chair and seconded the motion. All in favor. The motion passed.

3) **Action Item: Discussion/Decision Regarding Destruction of Records, Resolution**
Commissioner Connolly made a motion to approve Resolution #2022-112 that Human Resources destroy the above described files, following Title 74, Chapter I Public Records Act rules. Commissioner McDonald stepped down from the Chair and seconded the motion. All in favor. The motion passed.

ASSESSOR – Donna Gow

1) **Action Item: Discussion/Decision Regarding Selkirk MLS Agreement Sold-Data Information, Records Exempt from Disclosure**

Commissioner Connolly made a motion to approve the license Agreement as presented between Bonner County and Selkirk Multiple Listing Service, Inc. for access to shared data and information. Commissioner McDonald stepped down from the Chair and seconded the motion. All in favor. The motion passed.

The meeting was recessed at 9:10 a.m.

The meeting was reconvened at 9: a.m.

EXECUTIVE SESSION – Litigation with Davillier Law Group

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

At 9:22 a.m. Commissioner Connolly made a motion to go into Executive Session under Idaho Code § 74-206 (1) (F) Litigation. Commissioner McDonald stepped down from the Chair and seconded the motion. Roll Call Vote: Commissioner McDonald – aye. Commissioner Connolly – aye. All in favor. The motion passed.

The meeting was reconvened at 9:54 a.m.

10:00 A.M. EXECUTIVE SESSION – Litigation – 10:00 a.m.

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

At 9:55 a.m. Commissioner Connolly made a motion to go into Executive Session under Idaho Code § 74-206 (1) (F) Litigation. Commissioner McDonald stepped down from the Chair and seconded the motion. Roll Call Vote: Commissioner McDonald – aye. Commissioner Connolly – aye. Commissioner Bradshaw – Aye. All in favor. The motion passed.

Commissioner McDonald reconvened the meeting at 10:47 a.m.

Commissioner Connolly made a motion to approve the contract with Naylor and Hales on the recommendation of the prosecuting attorney "As the Prosecuting Attorney for Bonner County having analyzed the circumstances of the civil lawsuit, Bauer v Bonner County, it is my opinion that outside counsel is necessary to assist in the defense of this matter. It is my request and recommendation that the Board of County Commissioners approve the legal services agreement of Naylor and Hales, with Kirtan Naylor as principal attorney to enter a formal appearance in this lawsuit and provide assistance to current defense counsel." Commissioner McDonald stepped down from the Chair and seconded the motion. All in favor. The motion passed.

Commissioner McDonald adjourned the meeting at 10:48 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 December 20, 2022 – December 26, 2022
Copies of the complete meeting minutes are available upon request.

On Wednesday, December 21, 2022 Assistance was held pursuant to Idaho Code §74-204 (2). The Following Files were Approved: 2023-1473-1.

On Wednesday, December 21, 2022 an Executive Session was held pursuant to Idaho Code §74-204 (2) and Idaho Code § 74-206 (1) (F) Litigation & (1) (B) Personnel.

On Monday, December 21, 2022 a Planning Hearing was held pursuant to Idaho Code §74-204 (2). Commissioner Connolly moved to approve FILE ZC0016-22, requesting a zone change from Rural-5 to Recreation, 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 findings of fact and conclusions of law as set forth in the Staff Report (or as amended during the hearing) and direct planning staff to draft written findings and conclusions to reflect this motion, have the Chairman sign, and transmit to all interested parties. This action does not result in a taking of private property. Commissioner Bradshaw seconded the motion. Roll call vote: Commissioner McDonald – Aye, Commissioner Connolly – Aye, Commissioner Bradshaw – Aye. All in favor. The motion passed. Commissioner Bradshaw made a motion to remand this file back to the Planning Commission and applicant for completion of a comp. plan amendment and to update the development agreement with more detail. Commissioner Connolly seconded the motion. Commissioner McDonald – Aye, Commissioner Connolly – Aye, Commissioner Bradshaw – Aye. All in favor. The motion passed. Commissioner Connolly moved to approve the recommended updates to the goals, objectives and policies of the Comprehensive Plan, File AM0012-22, as presented or as amended in this hearing, finding that it is in accord with the requirements of Idaho Code §67-6508 and the procedures of Idaho Code §67-6509. This action does not result in a taking of private property. Commissioner Bradshaw seconded the motion. Commissioner McDonald – Aye, Commissioner Connolly – Aye, Commissioner Bradshaw – Aye. All in favor. The motion passed. Commissioner Bradshaw moved to approve Resolution #2022-111 adopting the recommended updates to the goals, objectives and policies of the Comprehensive Plan and repealing the previously adopted goals, objectives and policies in the Implementation Section. Commissioner Connolly seconded the motion. Commissioner McDonald – Aye, Commissioner Connolly – Aye, Commissioner Bradshaw – Aye. All in favor. The motion passed. Commissioner Bradshaw moved to amend the recommended adoption to the Community Design component of the Comprehensive Plan, as discussed during this hearing and direct the Planning Staff to present the amended recommendation in a future public hearing with further notice in accord with the procedures set forth in Idaho State Code Section 67-6509. This action does not result in a taking of private property. Commissioner Connolly seconded the motion. Commissioner McDonald – Aye, Commissioner Connolly – Aye, Commissioner Bradshaw – Aye. All in favor. The motion passed.

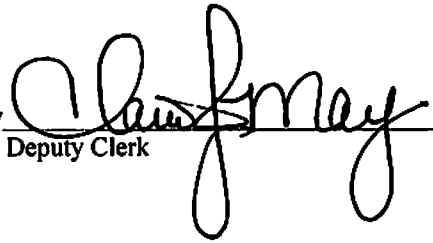
ATTEST: Michael W. Rosedale



Dan McDonald, Chairman

1/3/23

Date

By 

Deputy Clerk