

DRAFT



Bonner County

Board of Commissioners

Luke Omodt

Steve Bradshaw

Asia Williams

**CONSENT
AGENDA**

May 23, 2023

Memorandum

To: Bonner County Commissioners

Re: Adopting the Order of the Agenda as Presented

A suggested Motion would be: **Mr. Chairman I move to adopt the order of agenda as Presented.**

Consent Agenda

The Consent Agenda includes:

CONSENT AGENDA – Action Item

- 1) Bonner County Commissioners' Minutes for May 16, 2023
- 2) Liquor License: Smokesmith Bar-B-Que, Sandpoint, ID
- 3) Plats for Approval: Svitak Estates File #MLD0012-23, White Pine Lodge Phase 2, 5 Needles at White Pine File #SC0001-21

A suggested motion would be: **Mr. Chairman, based on the information before us I move to approve the consent agenda as presented.**

Recommendation Acceptance: yes no _____ Date: _____
Steve Bradshaw, Chairman

DRAFT



Bonner County

Board of Commissioners

Luke Omodt

Steve Bradshaw

Asia Williams

MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

May 16, 2023 – 9:00 A.M.

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

On Tuesday, May 16, 2023, the Bonner County Commissioners met for their regularly scheduled meeting with Commissioners Bradshaw, Omodt and Williams present. Commissioner Bradshaw called the meeting to order at 9:00 a.m. The Invocation was presented by Ken Lawrence and the Pledge of Allegiance followed.

PUBLIC COMMENT – Allowance of 60 minutes.

- Wayne Martin, requested a five-minute public comment instead of three, submitted a written public comment
- John Dupree, appreciates the prayer and pledge of allegiance at the beginning of the meeting, disagrees with the fairground expansion, attended the Spirit Valley Town Hall
- Spencer Hutchings, talked about the amount of money spent on the “library” election and the influx of Chinese people crossing the borders of Canada and Mexico into the United States, asked whether the county is using the Federal Surplus Program
- Shari Dovale, asked about the packet materials being available to the public
- David Mann, submitted a written public comment
- Commissioner Williams, asked if the public would like to receive a monthly report from Idaho Fish & Game
- Sheryl Messer, asked if the Planning Department could give a report as to what they are doing
- Commissioner Omodt, stated that the departments already have recurring updates that are open to the public
- Shari Dovale, said there are some departments that don't do recurring updates and should
- Molly McCahon, said that the department recurring meetings shouldn't be listed as special meetings
- Commissioner Omodt said that the regular business meeting is not necessarily the time to do department updates
- Dimitry Borisov, talked about emergency medical services not being considered an essential service in the state of Idaho
- Sheryl Messer, encouraged the sub-area comp plan committees being involved and advising at the planning commission meetings, read portions of the natural resources and land use components
- John Dupree, said that the commissioners have a massive responsibility in representing Bonner County

Commissioner Bradshaw recessed the meeting at 9:38 a.m.

Commissioner Bradshaw reconvened the meeting at 10:00 a.m.

ADOPT ORDER OF THE AGENDA

Commissioner Williams made a motion to remove Prosecutor Item #1, Action Item: Discussion/Decision Regarding Contract, Robert Kirtley. Commissioner Omodt seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. The motion passed.

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Commissioner Williams made a motion to adopt the order of agenda as amended. Commissioner Omodt seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. The motion passed.

DISTRICT 2 REPORT – Commissioner Williams gave an extensive report of issues and activities.

DISTRICT 3 REPORT – Commissioner Omodt gave an extensive report of issues and activities. Spencer Hutchings encouraged the county to move toward zero-based budgeting.

CONSENT AGENDA – Action Item

- 1) Bonner County Commissioners’ Minutes for May 9, 2023
- 2) Invoices Over \$5K: Risk Management (2)
- 3) Plat for Approval: Owen’s Acres File #MLD0106-23

Commissioner Omodt made a motion to approve the consent agenda as presented. Commissioner Williams seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. All in favor. The motion passed.

CLERK – Michael Rosedale (*Nancy Twineham Presented*)

- 1) Action Item: Discussion/Decision Regarding FY23 Claims Batch #16 \$947,925.14 & Demands in Batch #16 \$476,968.72; **Totaling \$1,424,893.86**

Claims Batch #16		
General Fund	\$	61,026.45
Road & Bridge	\$	95,255.54
Airport	\$	2,022.32
Elections	\$	32,184.54
Drug Court	\$	835.50
District Court	\$	19,302.06
911 Fund	\$	11,632.02
Court Interlock	\$	1,932.05
Indigent and Charity	\$	950.00
Revaluation	\$	2,744.21
Solid Waste	\$	589,886.65
Tort	\$	6,034.69
Weeds	\$	550.12
Parks & Recreation	\$	661.71
Justice Fund	\$	100,596.78
Waterways	\$	3,757.02
Grants	\$	248.48
Self Insured Medical	\$	105.00
Northside Fire	\$	7,850.00
Spirit Lake Fire	\$	10,350.00
Total	\$	947,925.14

Claims Batch #16

DRAFT

Demands	\$	476,968.72
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Commissioner Williams made a motion to approve payment of the FY23 Claims and Demands in Batch #16 Totaling \$1,424,893.86. Commissioner Omodt seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. All in favor. The motion passed.

- 2) Action Item: Discussion/Decision Regarding FY23 EMS Claims Batch #16 \$22,171.17 & Demands in Batch #16 \$6,144.77; **Totaling \$28,315.94**

EMS Claims Batch #16		
Ambulance District	\$	22,171.17

EMS Claims Batch #16		
Demands	\$	6,144.77

Commissioner Omodt made a motion to approve payment of the FY23 EMS Claims in Batch #16 Totaling \$28,315.94. Commissioner Williams seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. All in favor. The motion passed.

PUBLIC DEFENDER – Luke Hagelberg

- 1) Action Item: Discussion/Decision Regarding FY2024 Indigent Defense Financial Assistance Proposal and Application

Commissioner Williams made a motion to approve the Fiscal Year 2024 Indigent Defense Financial Assistance Compliance Proposal and Application. Commissioner Omodt seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. All in favor. The motion passed.

TREASURER – Clorissa Koster

- 1) Action Item: Discussion/Decision Regarding Treasurer/Auditor Joint Quarterly Reports, 2nd Quarter Ending 3/31/2023, Both Bonner County and EMS

Commissioner Omodt made a motion to accept both the Bonner County & EMS Treasurer/Auditor Joint Quarterly Reports for the 2nd Quarter ending 3/31/2023. Commissioner Williams seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. All in favor. The motion passed.

- 2) Action Item: Discussion/Decision Regarding Request to Move Forward with Lockbox Processing Services
Commissioner Williams made a motion to approve Umpqua Bank’s proposal for Lockbox Processing Services that will be used by the Treasurer’s Office. This has been reviewed by legal. Commissioner Omodt seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. All in favor. The motion passed.

SOLID WASTE – Bob Howard

- 1) Action Item: Discussion/Decision Regarding Land Lease Agreement, Between Bonner County and Wood’s Crushing & Hauling; **\$500.00 per month**

Commissioner Omodt made a motion to approve the land lease agreement between Bonner County and Wood’s Crushing and Hauling for \$500.00 per month for the use during the Colburn Construction Project. Commissioner Williams seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. All in favor. The motion passed.

ENGINEERING – Spencer Ferguson

1) Action Item: Discussion/Decision Regarding Bid Advertisement, EMS Station No. 1 and Office Complex
Commissioner Williams made a motion to authorize Engineering to advertise for bids for the EMS Station No. 1 and Office Complex Project. I further authorize the Chairman to sign administratively. Commissioner Omodt seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. All in favor. The motion passed.

WATERWAYS / RECREATION – Pete Hughes (*Mary Lindgren Presented*)

1) Action Item: Discussion/Decision Regarding Bonner Park West Closure for Timber Days, July 29th, 2023
Commissioner Omodt made a motion to approve the closure of the Bonner Park West boat launch and parking lot on Saturday, July 29th, 2023. Commissioner Williams seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. All in favor. The motion passed.

2) Action Item: Discussion/Decision Regarding Host Contract, Garfield Bay Campground
Commissioner Williams made a motion to approve the 2023 Garfield Bay Campground Host Contract naming Donald Sam Coleman as the Campground Host. Commissioner Omodt seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. All in favor. The motion passed.

3) Action Item: Discussion/Decision Regarding Host Contract, Bonner Park West
Commissioner Omodt made a motion to approve the 2023 Bonner Park West Host contract naming Tom Houle as the Park Host. Commissioner Williams seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. All in favor. The motion passed.

HUMAN RESOURCES – Cindy Binkerd

1) Action Item: Discussion/Decision Regarding Request to Recruit, Two New Positions
Commissioner Williams made a motion to approve commencing with approval of new positions for the Sheriff's, Desktop Support Technician and Communications Service Administrator, 911 effective May 16, 2023.
Commissioner Omodt seconded the motion. Roll call vote: Commissioner Omodt – No, Commissioner Williams – Yes, Commissioner Bradshaw – No. The motion failed.

REMOVED - PROSECUTOR – Louis Marshall

1) Action Item: Discussion/Decision Regarding Contract, Robert Kirtley

BOCC – Commissioner Bradshaw

1) Action Item: Discussion/Decision Regarding Fairgrounds Property Designated to Campground; **Resolution**
Commissioner Omodt made a motion to approve Resolution #2023-36 May 16, 2023 designating the north western portion of Block 1, Lot 1 in the Bonner County Readiness Center to be utilized for any legal purpose dissolving all previous MOU's. Commissioner Williams seconded the motion. There was extensive discussion between the board and members of the public. Sheriff Daryl Wheeler spoke to the history of the property. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – No, Commissioner Bradshaw – Yes. The motion passed.

BOCC – Commissioner Omodt

1) Action Item: Discussion/Decision Regarding IDPR Grant Extension, Fairgrounds Campground Expansion
Commissioner Omodt made a motion to approve requesting an extension for IDPR Grant #RV23-1-09 with the Idaho Department of Parks & Recreation. Commissioner Williams seconded the motion. Multiple members of the public spoke regarding this agenda item. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – No, Commissioner Bradshaw – Yes. The motion passed.

BOCC – Commissioner Williams

1) Action Item: Discussion/Decision Regarding Reappointment of Three Members to the Waterways Advisory Committee; **Resolution**

Commissioner Williams made a motion to approve Resolution #2023-37 to reinstate the members of the Waterways Board that are currently requesting reinstatement. Commissioner Omodt seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. All in favor. The motion passed.

2) Action Item: Discussion/Decision Regarding Review, Streaming All Public Meetings

Commissioner Williams made a motion to approve utilization of a streaming platform for those meetings that are open to the public whenever possible noting that there may be times where streaming is not available, utilization is not intended to replace in-person participation as indicated in the disclaimer used for streaming Zoom. Commissioner Omodt said he would not second. Commissioner Williams read an email from the Technology Department. The motion was not seconded. The motion died.

The meeting was recessed at 11:56 a.m.

The meeting was reconvened at 12:04 p.m.

EXECUTIVE SESSION – BOCC

1) Executive Session under Idaho Code § 74-206 (1) (A) Hiring

Action Item: Discussion/Decision Regarding Review of Waterways Advisory Committee Letters of Interest and Choice for Interview

At 12:04 p.m. Commissioner Williams made a motion to go into Executive Session under Idaho Code § 74-206 (1) (A) Hiring. Commissioner Omodt seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. The motion passed.

The meeting reconvened at 12:15 p.m.

Commissioner Omodt made a motion to proceed as directed. Commissioner Williams seconded the motion. Roll Call Vote: Commissioner Omodt – Yes. Commissioner Williams – Yes. Commissioner Bradshaw – Yes. The motion passed.

Commissioner Bradshaw adjourned the meeting at 12:15 p.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 May 9, 2023 – May 15, 2023
Copies of the complete meeting minutes are available upon request.

On Tuesday, May 9, 2023, a Planning Update was held pursuant to Idaho Code §74-204 (2).

On Wednesday, May 10, 2023, a Planning Hearing was held pursuant to Idaho Code §74-204 (2). Commissioner Omodt made a motion to approve this project, FILE AM0007-23, for a comprehensive plan map amendment from Resort Community and Transition to Rural Residential, 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 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 Williams seconded the motion. Roll Call Vote: Commissioner Omodt – Yes. Commissioner Williams – Yes. Commissioner Bradshaw – Yes. The motion passed. Commissioner Omodt made a motion to approve resolution #2023-34 amending the Bonner County Project Land Use Map. Commissioner Williams seconded the motion. Roll Call Vote: Commissioner Omodt – Yes. Commissioner Williams – Yes. Commissioner Bradshaw – Yes. The motion passed. Commissioner Omodt made a motion to approve this project, FILE ZC0003-23, to designate zoning of Rural-10 and Rural-5, (as illustrated in Appendix-B) 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. File ZC0003-23 May 10, 2023 Page 20 of 21 I further move to adopt the findings of fact and conclusions of law as set forth in the Staff Report and direct planning staff to draft written findings and conclusions to reflect this motion, have Chairman sign, and transmit to all interested parties. This action does not result in a taking of private property. Commissioner Williams seconded the motion. Roll Call Vote: Commissioner Omodt – Yes. Commissioner Williams – Yes. Commissioner Bradshaw – Yes. The motion passed. Commissioner Omodt 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 classification of lands located in Sections 19-27-28-29-30-32-33, Township 56 North, Range 4 West, Boise Meridian, Bonner County, Idaho to Rural-10 and Rural-5, and providing for an effective date. I further move to authorize the Chairman to sign the official supplementary zoning map upon publication of the ordinance. Commissioner Williams seconded the motion. Roll Call Vote: Commissioner Omodt – Yes. Commissioner Williams – Yes. Commissioner Bradshaw – Yes. The motion passed. Commissioner Williams made a motion to approve this petition, FILE #VS0001-23, to vacate a portion of North Steamboat Bay Road as identified in Appendix A of the staff report, finding that it is in accord with Idaho Code §40-203 as enumerated in the following conclusions of law [Commissioner Williams read the conclusions of law that the project meets into the record], 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 facts as stated in the staff report and the conclusions of law as stated in this hearing and direct the planning staff to draft written findings of facts and conclusions of law to reflect this motion and transmit it to all interested parties. The action that could be taken to obtain the vacation is to complete the Conditions of Approval as adopted. This action does not result in a taking of private property. Commissioner Omodt seconded the motion. Roll Call Vote: Commissioner Omodt – Yes. Commissioner Williams – Yes. Commissioner Bradshaw – Yes. The motion passed. Commissioner Williams made a motion to approve resolution #2023-35 vacating a portion of North Steamboat Bay Road as described and identified in Appendix A of this staff report. Commissioner Omodt seconded the motion. Roll Call Vote: Commissioner Omodt – Yes. Commissioner Williams – Yes. Commissioner Bradshaw – Yes. The motion passed. Commissioner Omodt made a motion to declare a portion of Kelso Woods Drive (as referenced in Appendix A of this staff report), not a public right-of-way, based upon the following conclusions of law: [Commissioner Omodt read the Conclusions of Law this request for validation fails to meet into the record]. The decision is 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 aforementioned conclusions of law and the following findings of facts as amended. This action does not result in a taking of private property. The action that could be taken, if any, to obtain the validation is to: 1) File a new application with the Planning Department and meet the standards required by Idaho Code; or 2) Pursue such remedies as may be applicable at Idaho Code, Title 40, Chapter 2. Commissioner Williams seconded the motion. Roll Call Vote: Commissioner Omodt – Yes. Commissioner Williams – Yes. Commissioner Bradshaw – Yes. The motion passed.

On Thursday, May 11, 2023, an Emergency Executive Session was held pursuant to Idaho Code §74-204 (2) and Idaho Code § 74-206 (1) (F) Litigation.

On Monday, May 15, 2023 a Panhandle Health District Annual Budget Review was held pursuant to Idaho Code §74-204 (2).

DRAFT

ATTEST: Michael W. Rosedale

By _____
Chairman Steve Bradshaw

By _____
Deputy Clerk

Date

2023

BONNER COUNTY
STATE OF IDAHO

No. 2023-154

RETAIL ALCOHOL BEVERAGE LICENSE

THIS IS TO CERTIFY THAT SMOKESMITH BAR-B-QUE LLC
doing business as SMOKESMITH BAR-B-QUE
at 102 S BOYER AVENUE, SANDPOINT, ID 83864

a(n) LLC, is licensed to sell Alcoholic Beverages as stated below, subject to the provisions of Chapters 23-903 and 23-916 Idaho Code Annotated, and the laws of the State of Idaho, Municipal Ordinances, and the regulations of the Commissioner in regard to sale of Alcoholic Beverages and the resolution passed by the Commissioners of said County, on file in the office of the Clerk of the Board at the Bonner County Courthouse, Sandpoint, Idaho.

Dated: 05/10/2023

Bottled/canned beer, Consumed off premise	\$0.00
Bottled/canned beer, Consumed on premise	\$0.00
Draft beer, Includes draft, bottled, and/or canned	\$100.00
Wine by the glass	\$100.00
Wine by the bottle	\$25.00
Liquor	\$0.00
Application Fee	\$5.00
Total	\$230.00

Signature of Licensee or Officer of Corporation

This license is TRANSFERABLE and EXPIRES 12/31/2023.
Witness my hand and seal this 23rd of May, 2023.

Chairman

Commissioner

Commissioner

(SEAL) By Cynthia Brannon
Clerk of the Board of County Commissioners

DRAFT



Bonner County Recorder
 Michael W. Rosedale - County Clerk
 1500 Highway 2
 Suite 335
 Sandpoint, ID 83864
 Phone: (208) 265-1490
 Fax: (208) 255-7849

FOR OFFICE USE ONLY

Premise No. 7B-35661
 State Lic No. 35661
 Issue Date: 05/10/2023
 County No. 2023-154
 Total Fees: \$230.00
 Deputy Initials: cbrannon

DRAFT

Retail Alcohol Beverage License Application

You must provide a copy of your newly issued State of Idaho Retail Alcohol Beverage License

- 1. Application Type**
 Renewal
 Seasonal (month open _____.)
 New (complete page 2)
 Transfer (complete page 2)
 (include transfer fee of \$20.00)
- 2. Type of Business**
 Individual
 Partnership
 Corporation
- LLC
 LLP
- 3. Location of Facility**
 Inside city limits
 Outside city limits

4. License Type

- Bottled/canned beer (retail only) Consumed off premise
 Bottled/canned beer Consumed on or off premise
 Draft beer Includes draft, bottled, and/or canned
 Wine by the glass
 Wine by the bottle
 Liquor
 Application Fee
 Total Fees

County Fee	Prorated Fee (If applicable)
\$ 0.00	\$ _____
\$ 0.00	\$ _____
\$ 100.00	\$ _____
\$ 100.00	\$ _____
\$ 25.00	\$ _____
\$ 0.00	\$ _____
\$ 5.00	\$ _____
\$ <u>\$230.00</u>	

FOR OFFICE USE ONLY

5. Applicant Information

Doing Business As: SMOKESMITH BAR-B-QUE
 Business Phone Number: (208) 920-0517
 Business Physical Address: 102 S BOYER AVENUE
 City: SANDPOINT State: ID Zip Code: 83864

6. Business Information

Business Name: SMOKESMITH BAR-B-QUE LLC
 Primary Contact Name: KATELYN SMITH
 Primary Contact Phone Number: (209) 735-0207
 Mailing Address: 102 S BOYER AVENUE
 City: SANDPOINT State: ID Zip Code: 83864

Email Address: _____
 Please indicate address to send future correspondence: Business Physical Address Mailing Address Email

APPLICANT'S SIGNATURE: *K S*
 Signer must be authorized to sign for documents pertaining to the Alcohol Beverage Control.

APPROVED: _____ DATE: _____
 Board of County Commissioners Call Katelyn 209-735-0207

DRAFT

Bonner County Planning Department

"Protecting property rights and enhancing property value"
1500 Highway 2, Suite 208, Sandpoint, Idaho 83864
Phone (208) 265-1458 - Fax (866) 537-4935
Email: planning@bonnercountyid.gov - Web site: www.bonnercountyid.gov



Board of County Commissioners Memorandum

May 16, 2023

To: Board of County Commissioners
From: Alex Feyen, Bonner County Planner

Subject: Final plat, MLD0012-23 Svitak Estates

The above referenced plat is a minor land division dividing a 16.6-acre parcel into two conforming lots; one (1) 7.9-acre lot and one (1) 8.7-acre lot. The property is zoned Rural-5 and meets the requirements of that zone. The property is served by individual wells, individual septic systems, and Inland Power Company. The property is accessed off Highway 41, a state-owned and maintained highway, and Flatiron Road, a private road. The parcel is located in a portion of Section 25, Township 54 North, Range 05 West, Boise Meridian, Idaho. The plat was approved by Bonner County on April 17, 2023.

The conditions of approval for this file have been completed. Notes and easements required by plat approval are shown on the final plat.

Legal Review: _____

Distribution: Jake Gabell
Janna Berard
Alex Feyen

Recommendation: Staff recommends the Board approve the final plat of the above referenced file.

Consent Agenda

Recommendation Acceptance: Yes No

Commissioner Steve Bradshaw, Chairman

Date: _____



Bonner County Planning Department

"Protecting property rights and enhancing property value"

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

Phone (208) 265-1458 - Fax (208) 265-1463

Email: planning@bonnercountyid.gov - Web site: www.bonnercountyid.gov

DRAFT

May 17, 2023

Memorandum

To: Board of County Commissioners

From: Swati Rastogi, Senior Planner

Re: Final plat, SC0001-21 – White Pine Lodge Phase 2, 5 Needles at White Pine

The applicant is proposing a condominium project named as White Pine Lodge Phase 2 - 5 Needles at White Pine containing 26 residential units on a portion of Lot 1A, Block I of Schweitzer Mountain Community, An Expandable Planned Unit Development. The project is located on parcel RP0450200I01A0A and the property is generally located between Great Escape Road and Village Lane at Schweitzer in Section 20, Township 56 North, Range 2 West, Boise Meridian, Idaho.

The conditions of approval for SC0001-21 – White Pine Lodge Phase 2 - 5 Needles at White Pine have been completed.

Legal Review: _____

Distribution: Jake Gabell
Swati Rastogi

Recommendation: Staff recommends that the Board approve the final plat of File #SC0001-21 – White Pine Lodge Phase 2 - 5 Needles at White Pine, as presented.

Consent Agenda

Recommendation Acceptance: Yes No _____

Commissioner Steve Bradshaw, Chairman

Date: _____

DRAFT



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Email: planning@bonnercountyid.gov - Web site: www.bonnercountyid.gov

May 23, 2022

Item
1

Memorandum

To: Board of County Commissioners

From: Jake Gabell, Planning Director

Re: Repeal of the Moratorium on Certain De-Annexed Land from the City of Priest River

The Planning Department request that the Board of County Commissioners approve the resolution to repeal a moratorium, in accordance with Idaho Code §67-6523, which restricts all land use actions on these properties.

Legal Review: Bill Wilson

Handwritten signature of Bill Wilson in black ink.

Auditor's Review: _____

Distribution: Jake Gabell
Bill Wilson

Suggested Motion: I move to approve Resolution 23-__ repealing the moratorium on certain de-annexed land from the City of Priest River.

Recommendation Acceptance: Yes No

_____ Date: _____
Commissioner Steve Bradshaw, Chairman

DRAFT

**BONNER COUNTY BOARD OF COMMISSIONERS
Resolution 23-**

**Repeal of the Moratorium on the
De-Annexed Land From the City of Priest River**

Whereas, the Bonner County Board of Commissioners may establish emergency moratoria on certain land use actions pursuant to Idaho Code §67-6523; and

Whereas, the Board established a moratorium on de-annexed properties near Priest River, Idaho on December 12, 2022 via the adoption of Resolution 22-106; and

Whereas, the Board approved Land Use File ZC0003-23 on May 10, 2023, establishing zoning designations on the properties listed in Appendix A; and

Whereas, said zoning designations eliminated the risk to the health, safety, and welfare of neighboring residents which prompted the moratorium;

Now, therefore be it resolved by the Board of County Commissioners of Bonner County, Idaho, that Resolution 22-106 is hereby repealed in its entirety, and the moratorium established thereby be lifted.

Adopted as a resolution of the Board of County Commissioners of Bonner County, Idaho, done this 23rd day of May, 2023 upon a majority vote.

BONNER COUNTY BOARD OF COMMISSIONERS

Steve Bradshaw, Chairman

Luke Omodt, Commissioner

Asia Williams, Commissioner

ATTEST: Michael W. Rosedale, Clerk

By Deputy Clerk

Date

Legal: _____

DRAFT

Appendix A

De-Annexed Priest River Properties Listed by Real Property Numbers

RP027690010010A	RP56N04W284802A	RP56N04W294806A	RP56N04W302251A
RP027690010020A	RP56N04W284803A	RP56N04W299001A	RP56N04W320005A
RP027690010030A	RP56N04W291205A	RP56N04W300010A	RP56N04W320311A
RP027690010040A	RP56N04W292451A	RP56N04W300151A	RP56N04W320312A
RP0276900101A0A	RP56N04W293020A	RP56N04W300160A	RP56N04W320460A
RP027730010010A	RP56N04W293205A	RP56N04W300301A	RP56N04W322032A
RP027730010020A	RP56N04W293612A	RP56N04W300311A	RP56N04W322033A
RP56N04W276001A	RP56N04W294150A	RP56N04W300451A	RP56N04W330003A
RP56N04W331200A	RP56N04W333751A	RP56N04W333800A	

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May 16, 2023

Item #2

BOCC Memorandum

To: Board of County Commissioners

From: Swati Rastogi, Senior Planner

Subj: Final Plat S0004-21 – Monarch Vista Point (Block 1 – Lots 1-9, Block 2 – Lots 1-9)

The Monarch Vista Point (Block 1, Lots 1-9 and Block 2, Lots 1-9) is a subdivision request to plat the subject property into eighteen (18) residential lots. The 14.75-acre property is zoned Recreation and meets the requirements of that zone. The subdivision is served by Garfield Bay Water and Sewer District, one (1) shared well system serving Block 1, Lots 8 and 9 and Block 2, Lots 3 to 9, nine (9) individual wells serving the remainder of the residential lots and Northern Lights, Inc. The site is located within Selkirk Fire District. The site has direct frontage and access to Midas Drive, a privately maintained public road as well as Garfield Bay Road, a publicly maintained public road. The parcel is located in a portion of Section 21, Township 56 North, Range 1 West, Boise Meridian, Bonner County, Idaho.

The Board approved the preliminary plat on March 01, 2022. All conditions of the preliminary plat approval have been met including improvements to Midas Drive, extension of sewer services to the subdivision and the establishment of a shared well system, WR#96-12074. Staff recommends that the final plat be approved as presented.

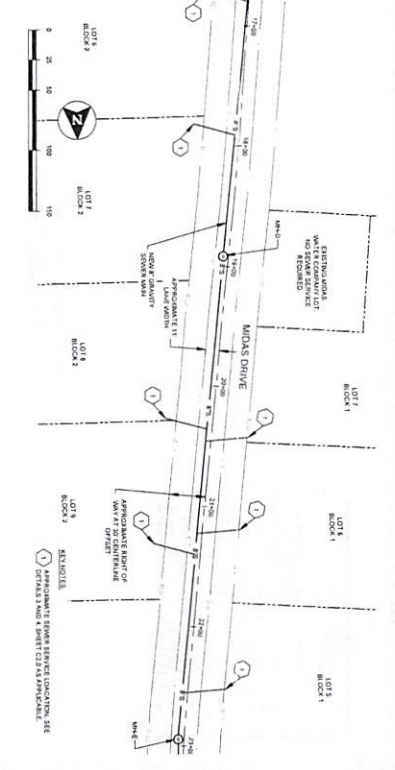
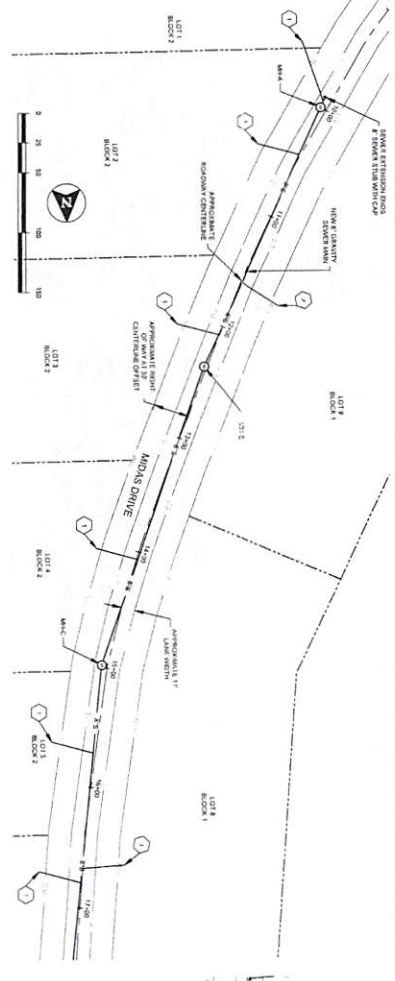
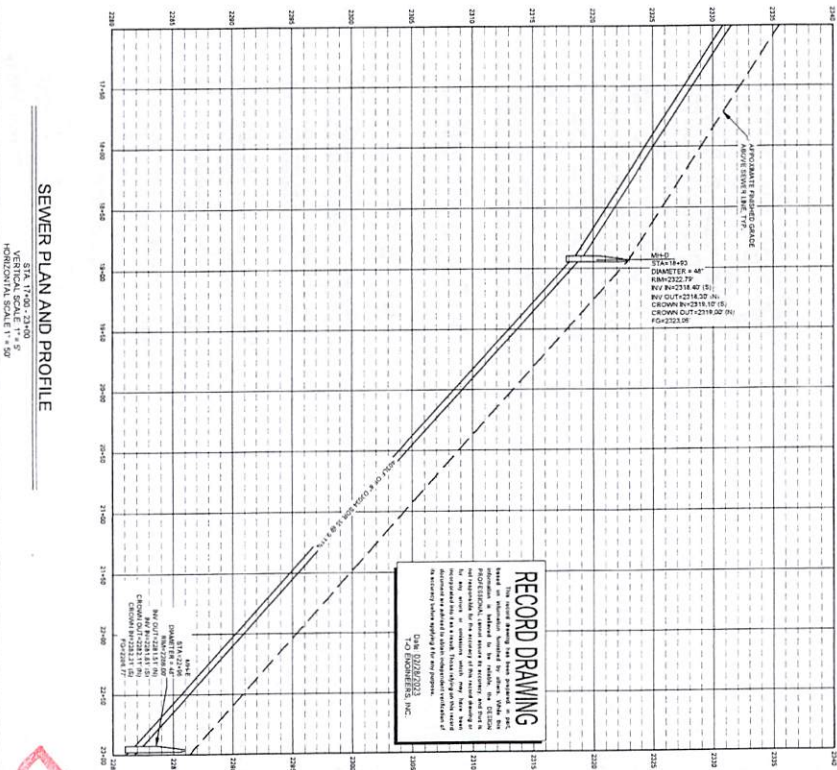
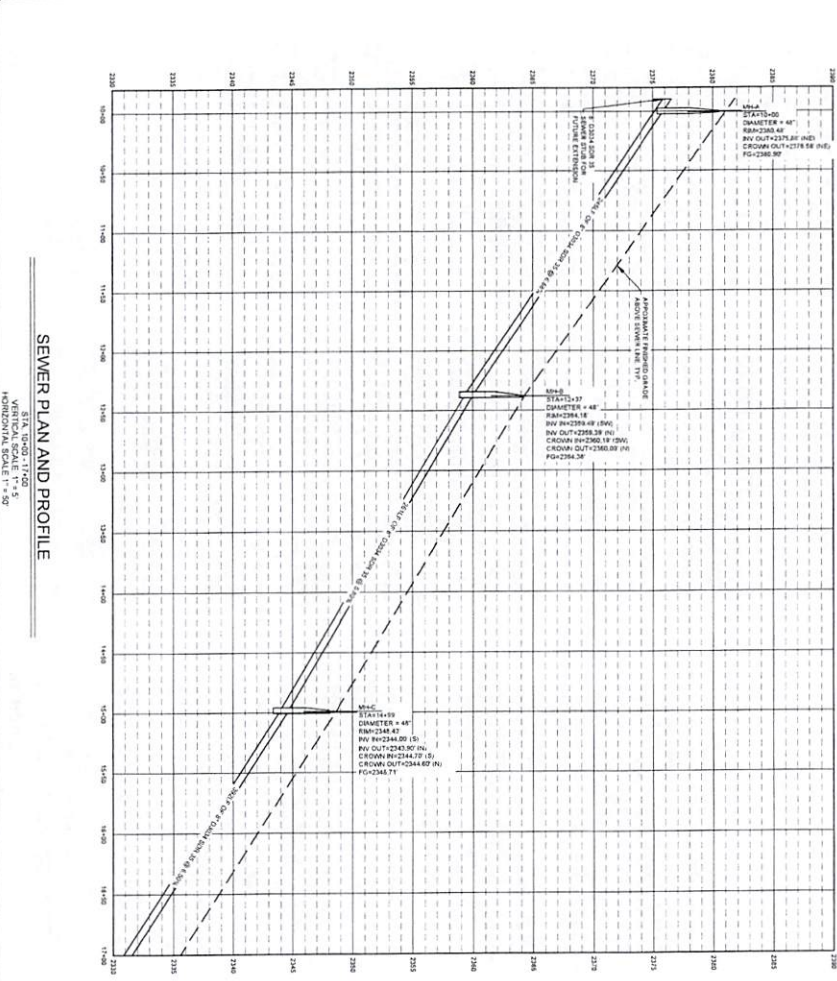
Legal Review: N/A

Distribution: Jacob Gabell
Swati Rastogi

Suggested Motion: I move to approve the final plat of Monarch Vista Point, Project File No. S0004-21 and authorize the chair to sign the final plat as presented.

Recommendation Acceptance: Yes No _____
Commissioner Steve Bradshaw, Chairman

Date: _____



SEWER PLAN AND PROFILE
STA. 10+00-23+00
VERTICAL SCALE 1" = 5'
HORIZONTAL SCALE 1" = 50'

SEWER PLAN AND PROFILE
STA. 23+00-27+00
VERTICAL SCALE 1" = 5'
HORIZONTAL SCALE 1" = 50'

RECORD DRAWING

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DON O'NEILL
T-O ENGINEERS, INC.

RECORD DRAWINGS FOR:
MIDAS DRIVE SEWER EXTENSION
SEWER P&P STA 10+00 - 23+00

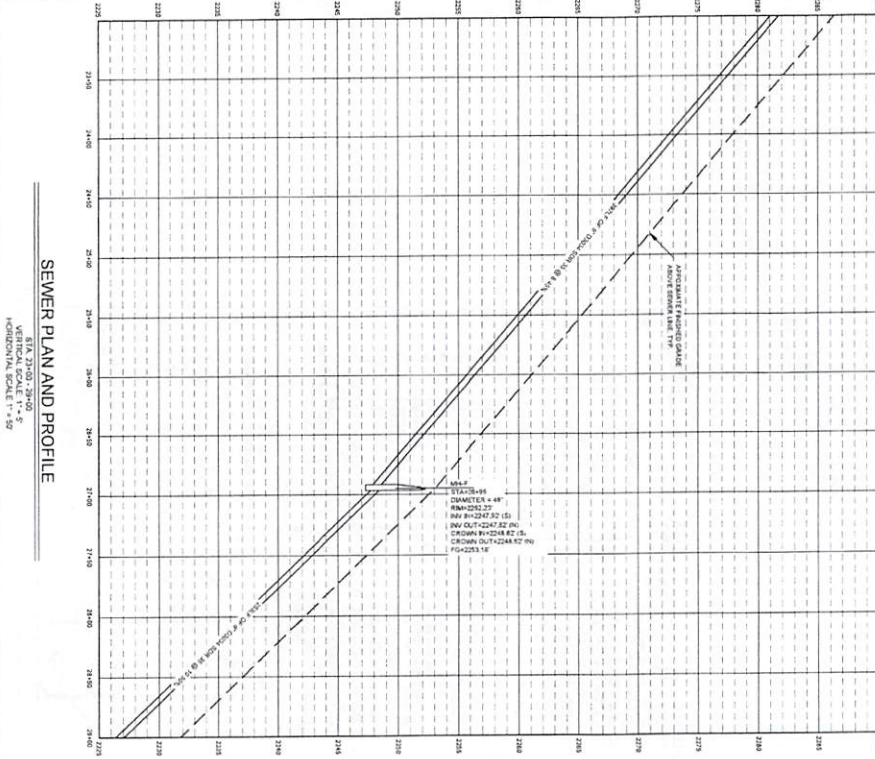
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CONSULTING ENGINEERS, SURVEYORS & PLANNERS
1950 MEADOWLARK WAY, STE. A
COEUR D'ALENE, IDAHO 83815
PHONE: (208) 763-3844 WWW.T-O-ENGINEERS.COM
BOISE • COOY • COEUR D'ALENE • HERBER CITY
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NO.	REVISIONS DESCRIPTION	DATE
1	RECORD DRAWING	02/28/2023

19/67
REGISTERED PROFESSIONAL ENGINEER
STATE OF IDAHO
DON O'NEILL
19/67

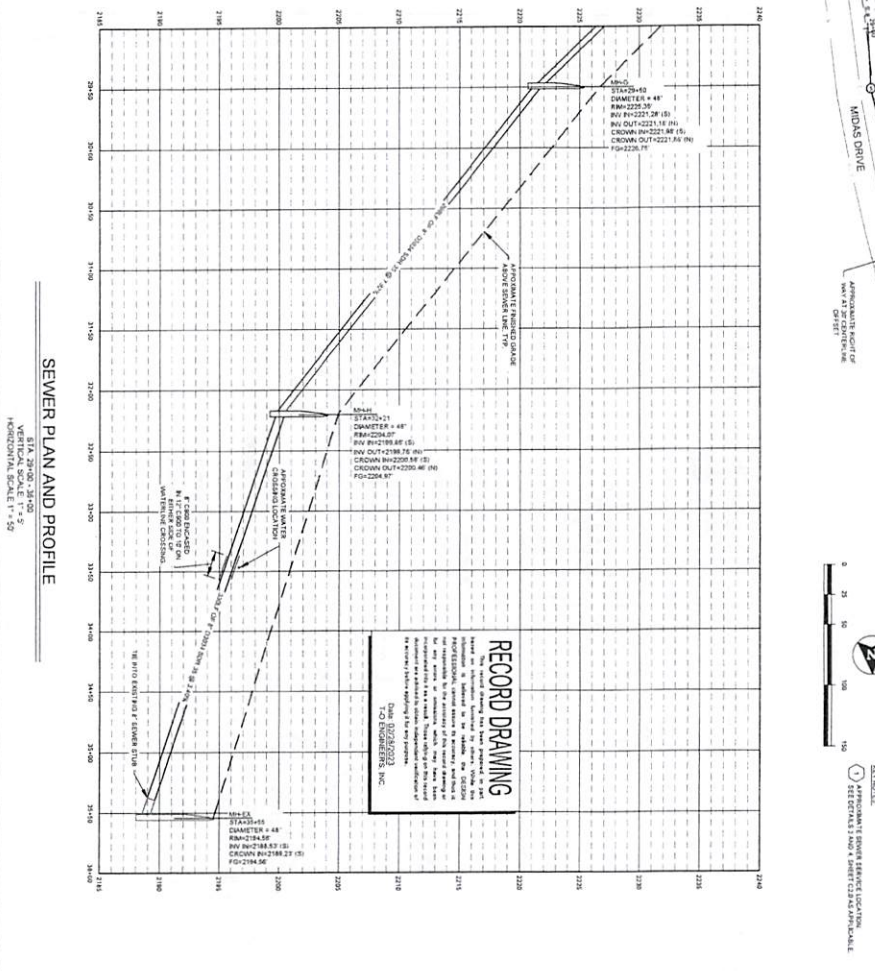
DATE	BY	DESCRIPTION
02/28/2023	DO	ISSUED FOR RECORD

ATTENTION: SEE SHEET C-1.0 FOR ADDITIONAL INFORMATION



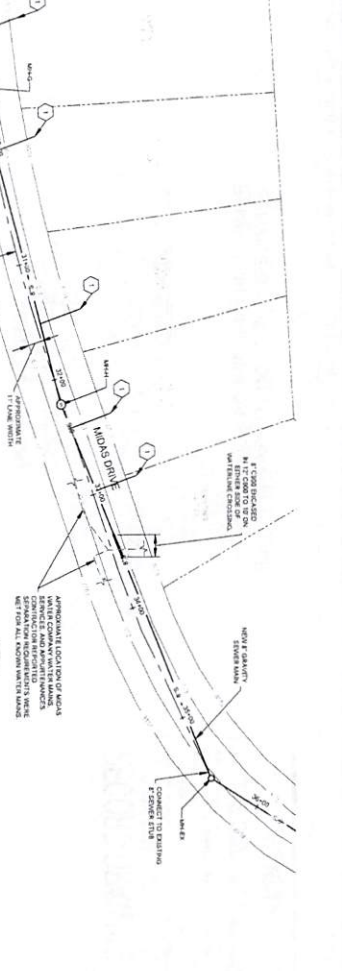
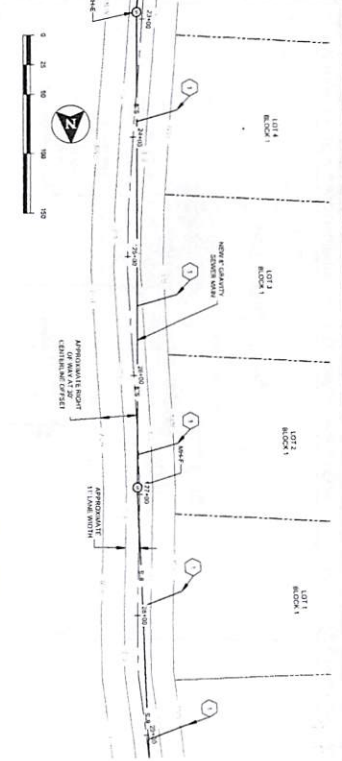
SEWER PLAN AND PROFILE

S.P.A. 23+00 - 36+00
VERTICAL SCALE 1" = 5'
HORIZONTAL SCALE 1" = 30'



SEWER PLAN AND PROFILE

S.P.A. 36+00 - 41+00
VERTICAL SCALE 1" = 5'
HORIZONTAL SCALE 1" = 30'



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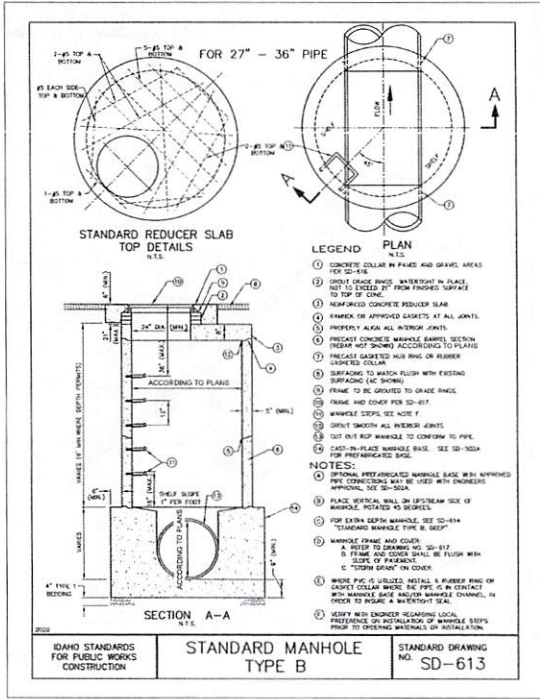
The record drawings have been prepared in full accordance with the requirements of the State of Tennessee. It is the responsibility of the engineer to ensure that the drawings are in full compliance with the requirements of the State of Tennessee. The engineer shall be responsible for the accuracy of the information provided in this drawing. The engineer shall be responsible for the accuracy of the information provided in this drawing. The engineer shall be responsible for the accuracy of the information provided in this drawing.

T-O ENGINEERS, INC.

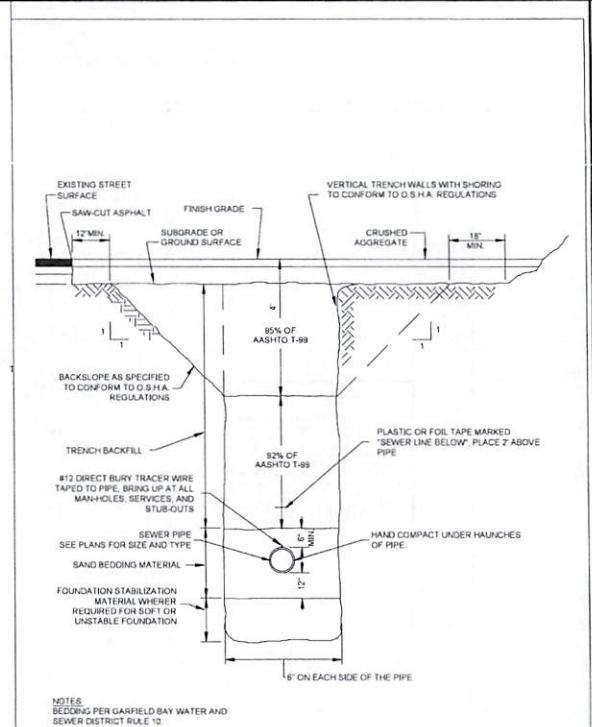
<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>RECORD DRAWINGS</td> <td>02/28/2023</td> </tr> </tbody> </table>		NO.	DESCRIPTION	DATE	1	RECORD DRAWINGS	02/28/2023	<p>BORDER SIZE</p> <p>23"x34"</p> <p>DESIGNED</p> <p>EKT</p> <p>DRAWN</p> <p>EKT</p> <p>CHECKED</p> <p>WSD</p> <p>APPROVED</p> <p>800</p>
NO.	DESCRIPTION	DATE						
1	RECORD DRAWINGS	02/28/2023						
<p>RECORD DRAWINGS FOR:</p> <p>MIDAS DRIVE SEWER EXTENSION</p> <p>SEWER P&P STA 23+00 - 36+00</p>								
<p>T-O ENGINEERS</p> <p>CONSULTING ENGINEERS, SURVEYORS & PLANNERS</p> <p>7550 MEADOWLARK WAY, STE. A</p> <p>COLLEGE HAVEN, TENN 38325</p> <p>PHONE: (901) 743-3844 WWW.T-ENGINEERS.COM</p> <p>ROSE • COOK • EGGLER DALLINE • HEBER CITY</p> <p>MERCER • MARSH • SPONGE</p>								
<p>DATE: 02/28/2023</p> <p>PROJECT: MIDAS DRIVE SEWER EXTENSION</p> <p>SHEET: 10 OF 10</p> <p>SCALE: AS SHOWN</p> <p>ATTENTION: 1</p> <p>19767</p> <p>REGISTERED PROFESSIONAL ENGINEER</p> <p>STATE OF TENNESSEE</p>								

RAFT

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TYPICAL SEWER MANHOLE DETAIL



TYPICAL TRENCH DETAIL

PROFESSIONAL ENGINEER
REGISTERED
19267
STATE OF IDAHO
BRENT B. DEVO

DATE	02/28/2023
BY	ENR
CHECKED	ENR
APPROVED	ENR

T-O ENGINEERS
CONSULTING ENGINEERS, SURVEYORS & PLANNERS
7850 W. MADISON AVE., STE. A
BOISE, IDAHO 83726
PHONE: 208-333-2844 WWW.T-OENGINEERS.COM
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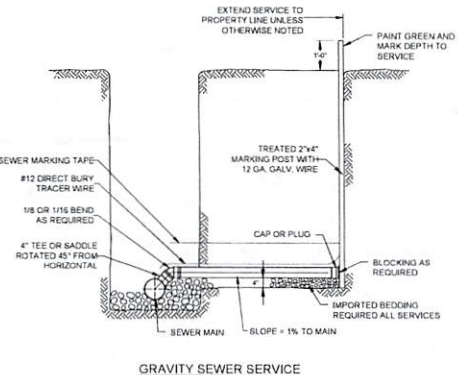
RECORD DRAWINGS FOR:
MIDAS DRIVE SEWER EXTENSION
DETAILS

RECORD DRAWING

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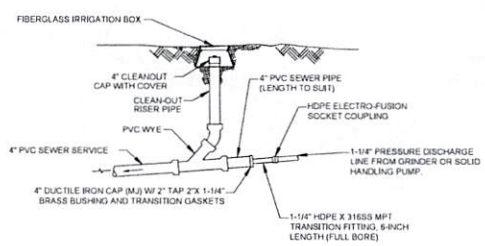
Date: 02/28/2023
T-O ENGINEERS, INC.

DATE	02/28/2023
PROJECT	210447
SCALE	



GARFIELD BAY WATER AND SEWER DISTRICT GRAVITY SEWER SERVICE DETAIL

NTS 3/22.0



GARFIELD BAY WATER AND SEWER DISTRICT PRESSURE SEWER SERVICE CONNECTION DETAIL

NTS 4/22.0

C2.0



GARFIELD BAY WATER & SEWER DISTRICT

DRAFT

PO Box 27, Ponderay Idaho 83852

Panhandle Health District
2101 W Pine Street
Sandpoint Idaho 83864

RE: Parcel RP56N01W219311 A

SDG Properties LLC
1002 Pine Street
Sandpoint Idaho 83864

February 21, 2023

To Whom It May Concern;

Per your request for a "Will Serve letter" The Board met and agreed that they can continue on with the project on above listed parcel. All requirements have been met by the owners, SDG Properties LLC, they have completed the sewer extension as the agreement with the District states.

If you have any questions or concerns feel free to contact.

Respectfully,

Vicki R. Winger
District Clerk
208-263-2218 6 am – 11 am

CC: District File





GARFIELD BAY WATER & SEWER DISTRICT

PO Box 27, Ponderay Idaho 83852

DRAFT

PARCEL #RP56N01W210800A

DRAFT



Monarch Vista Point Water System

SDG PROPERTIES LLC

December 07, 2022

QLPE Review and Water System Analysis

This review and analysis concern a water system which will serve nine seasonal recreation homes. The proposed system will be comprised of the following:

- Individual shared well
- Two 3,000-gallon cisterns (for a total storage of 6,000 gallons)
- One Pressure/Booster Pump (capable producing 40 psi in the system)
- Individual Distribution System (2-inch HDPE SDR11 / 200 psi poly pipe)
- Every home will have of a 2,000-gal cistern system with ½ HP submersible for fire suppression per Bonner County Code.

This system will serve under twenty-five (25) people for less than 60 days per year which as defined under IDAPA 58.01.08 as a non-public, non-community, non-transient drinking water system. We recommend Panhandle Heath Department and DEQ approve these water system as they comply with the IDAPA requirements for a non-public water system.



Daniel W. Larson, Principal
7B Engineering

Date

Note: This document is signed and sealed electronically. If the Signature, Time, and Date are not shown imposed over the Seal, the document has been altered and should not be considered an Original.



414 Church Street, Suite 203
Sandpoint, Idaho 83864
(208) 263-0623

2181 Schoenrock Water
QLPE Review
Page 1 of 7

DRAFT

ENGINEERING REVIEW & ANALYSIS
NON-PUBLIC WATER SYSTEM (IDWR 96-12074)
For SDG PROPERTIES LLC
RP56N01W219311A – TAX 24 & 36 TAX 35 LESS TAX 40
Section 21, Township 56, Range 1 West, Bonner County, ID

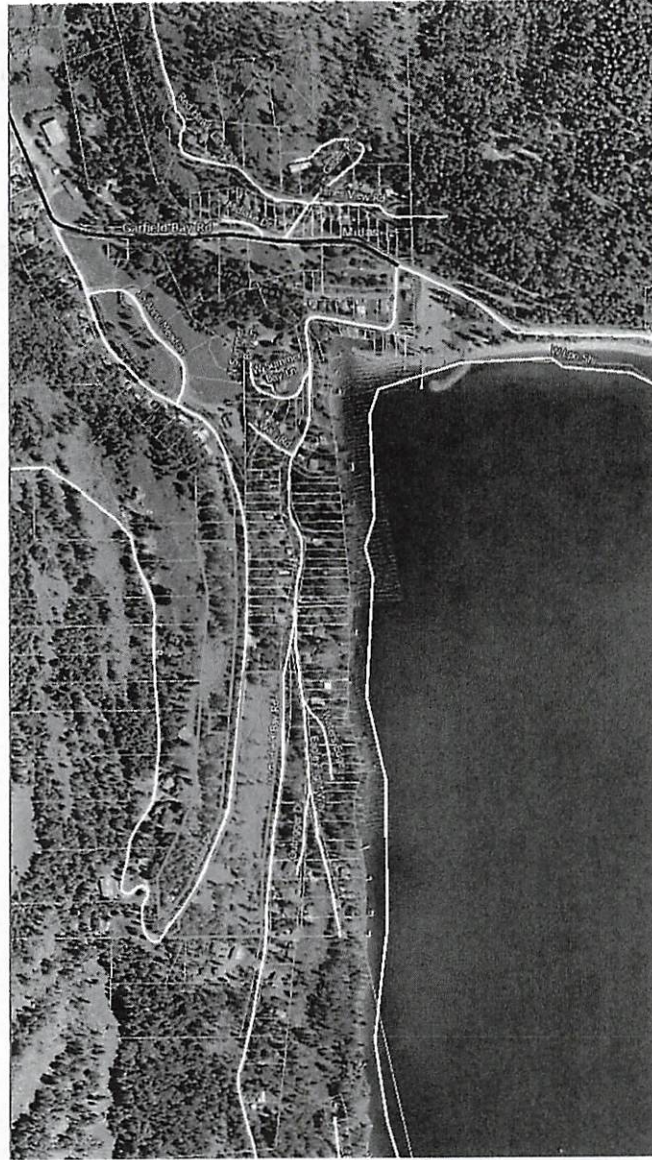


Figure 1: Vicinity Map

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Introduction

This report has been prepared to analyze a proposed non-public water system utilizing a private well source, cistern storage, and distribution system to serve nine (9) seasonal homes near Garfield Bay in Bonner County Idaho. This report analyzes the proposed system design requirements such as source, demand, storage, and distribution operating pressures.

The system will be connected to a well, two 3,000 gal cisterns, a booster pump and a 2-inch distribution system.

Location

The site is west of Garfield Bay in Bonner County Idaho and is accessed by Midas Drive. The well is to be located in an easement for the future HOA/operator to access and operate all components of the water system. The site currently is parcel RP56N01W219311A owned by SDG Properties LLC in Section 21 of Township 56 North, Range 1 West, Bonner County, Boise Meridian. The current owner plans to subdivide the current lot into 18 lots for seasonal summer homes. Please review Figure 1: Vicinity Map.

The proposed water system, WR #96-12074, will serve the following lots: Block 3 - Lots 1 & 2; and Block 4 - Lots 1, 2, 3, 4, 5, 6, & 7. Figure 2: Proposed Non-public Water System Boundary, shows the area planned to be served by the water system.

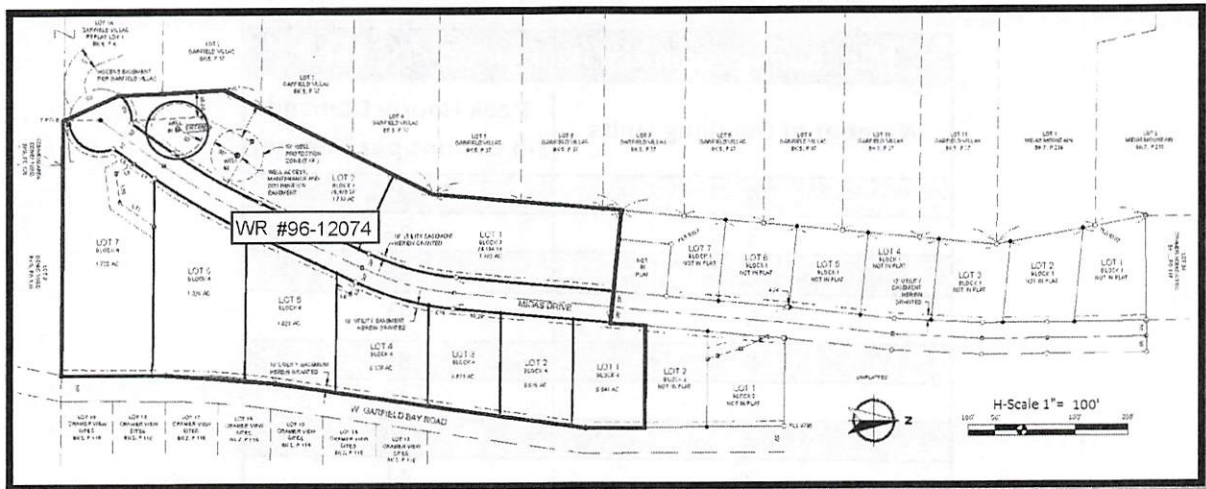


Figure 2: Proposed Non-public Water System Boundary

Size

This proposal is to construct a non-transient, non-community, non-public water system that can properly serve the nine seasonal homes. The demand for the non-public water system was estimated per the Washington State Office of Drinking Water Design Manual and Guidelines for Group B Water Systems published by the Washington Department of Ecology and IDAPA Rules for Public Drinking Water Systems IDAPA 58.01.08.

Hydraulic Analysis: WR 96-12074

The following assumptions and methods describe the calculation of the estimated Peak Hour, Maximum Day, and Average Day demand upon this water system. No Industrial uses are proposed or calculated. Fire protection guidelines of the Idaho Wildland – Urban Interface will be followed to protect the existing structures and wildlife.

Peak Hour Demand Calculations:

Total System Demands

Residential water use Peak Hour Demand (PHD) for the facility has been calculated. This System will serve 9 Lots. The PHD is based on the March 2018 edition of the Washington State Department of Health, Office of Drinking Water (WADOH), Group B Water System Design Guidelines, Section 3.1.2 Table 3.2:

Table 1: Guide for Minimum Residential Peak Hour Demand (DOH 331-467)

Minimum Residential Peak Hourly Demand	
Number of Dwelling Units	Peak Hourly Demand (in Gallons per Minute)
2	23
3	26
4	28
5	31
6	34
7	36
8	39
9	41

The **Total Peak Hour Demand** of the system based upon the guidelines above is estimated to be about **41 gpm.**

Proposed Water Demand

Maximum Day Demand Calculation:

The Maximum Day Demand is going to occur on a busy summer day when the proposed association is occupied by all the owners.

Tested Well Production Capacity = **11gpm**
(see well drillers report for well tag ID #0091402).

The proposed pump used in this system is a Franklin 10FV15 1.5 H.P

Residential:

Assume at full occupancy an average of 800gpd per RDU over the 9 dwellings:
800gpd/ RDU*9 RDU = **7,200 gpd** Residential demand

Total Maximum Day Demand: 7,200 Gallons (5 gpm maximum day demand).

Average Day Demand Calculation:

Assumed, an Average Day use of 800gpd/RDU. The seasonal usage of the homes equates to about 60 days in the summer months.

Average Summer Day Demand (60 days):

$$\text{Dwellings: } 800 \text{ gpd/RDU} \times 9 \text{ RDU} = 7,200 \text{ gpd}$$

$$\text{Total Summer Average Day Demand: } 7,200 \text{ gpd} = 5 \text{ gpm}$$

Total Average Demand on Aquifer = $(7,200 \text{ gpd} \times 60\text{day})/365\text{day} = 1183.6 \text{ gpd} = \mathbf{0.82\text{gpm}}$

Storage

The minimum capacity of eight hundred gallons per day is only acceptable if the drinking water system has equalization storage of finished water in sufficient quantity to compensate for the difference between a water system's maximum pumping capacity and peak hour demand. To estimate Equalization Storage (ES), i.e. volume required in a system, we can calculate it based on Peak Hour Demand or Historic Flow Data (Equation 7-1 per WSDSHS 2020)).

Equation 1: Equalization Storage

$$ES = (PHD - Q_s) \times T$$

Where ES is the equalization storage/volume in gallons; PHD is peak hour demand in gpm; Q_s is the installed well pumping capacity; and T is minimal time (150 min per the WSDSHS manual for the number of hookups).

$$Es = (Q_{pkhr} - Q_s) \times (150\text{minutes})$$

Minimum proposed equalization storage for the nine seasonal homes:

$$Es = (41 \text{ gpm} - 11\text{gpm}) (150 \text{ min}) = 4,500 \text{ gallons}$$

Therefore, the proposed storage of 6,000 gallons is adequate for the demand of the private water system.

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Distribution Operating Pressures

Per IDAPA 58.01.08 .552.01.b.v states that water systems shall maintain a minimum pressure of forty (40) psi throughout the distribution system. Per Idaho Plumbing Code, the available pressure at the highest fixture should be a minimum of 20 psi and a maximum of 100psi.

Using the Total Peak Hour Demand of the proposed system at **41 gpm** for the distribution system. The resulting estimated dynamic head loss in the proposed 2-inch line from cistern is about 2.8 ft H₂O per 100-feet during peak demand (41 gpm). The entire parcel from north to south is about 2,150 ft (~0.4 miles long). The proposed cisterns and well are located on the southwest corner of the lot approximately 2,400± ft in Elevation. If the proposed water is to be served from one end of the property from the cistern estimated dynamic pressure loss would be about 60.2 ft H₂O (26 psi). The north end of the property is about 2230± ft in elevation overall the system therefore the proposed site has a static head gain of about 170 ft H₂O (2400-2230 ft). Therefore, the proposed system has a water pressure of about 109.8 ft H₂O (47.6 psi) without the booster pump.

The contractor (Panhandle Pump) also attached a booster pump (Franklin 60FA2S4) that supplies the distribution system with additional 92.2 ft H₂O (40 psi). The pressure in the distribution system is about 202 ft H₂O (97.6 psi) when the booster pump is on. Therefore, this system meets the minimum of 40 psi in the distribution main at about 2150 LF during Peak Hour Demand.

Distribution Velocity

A minimum water velocity of 2 fps is needed to provide flushing for the water system.

Equation 2: Velocity in Pipes

$$V = 0.408 \frac{Q}{D^2}$$

Where:

V= Water Velocity inside pipe (fps)

Q = Flow Rate inside pipe (gpm)

D= Inside Pipe Diameter

During peak hour demand of the proposed system at **41 gpm** the 2-inch distribution system flows at a velocity of 4.182 fps.

$$V = 0.408 (41/4) = 4.182 \text{ fps}$$

Construction Progress and Costs

Construction on the proposed water system has begun; the water system is nearly finished and is awaiting approval to be placed into service. As of writing, the well has been drilled, screened, and cased, all under ground water lines have been installed, and the cisterns are in place. The final actions to complete are: installing the well pump and installing the main line pressure/booster pump in the cisterns. The total cost of the needed materials is roughly \$13,000. The owner plans to complete the labor and has sufficient capital to complete the project without further connection charges or fees from future landowners.

Conclusion

The proposed non-public, non-community, non-transient drinking water system meets design requirements for demand, storage, operating pressures, and velocities.

This system will serve under twenty-five (25) people for less than 60 days per year which as defined under IDAPA 58.01.08 as a non-public, non-community, non-transient drinking water system. We recommend Panhandle Health Department and DEQ approve this water system as it complies with the IDAPA requirements for a non-public water system.

References

Linaweaver, F. P. (1967). Summary Report on the Residential Water Use Research Project. Journal of the American Water Works Association, 59, 267.

Residential Tank Sizing Calculator. (2021). Retrieved from Pentair Wellmate:
<http://www.wellmate.com/en-US/support/calculator/>

Technical Guidance Manual. (n.d.). IDAPA 58.01.03.007.08.

WA DOH 331-123 (REV. 6/2020). Water System Design Manual. WA: Washington State Department of Health.

WA DOH 331-467. (2016, December). Group B Water System Design Guidelines (DOH 331-467 ed.). WA: Washington State Department of Health.

WSDSHS. (1973). Design Standards for Public Water Supplies. Olympia, WA: Washington State Department of Social and Health Services.



BONNER COUNTY ROAD & BRIDGE

1500 Hwy 2 Ste 101 • Sandpoint, ID 83864 • Phone: (208) 255-5681 – Fax: (208) 263-9084
E-mail: roads@co.bonner.id.us

DRAFT

R&B
ITEM # 1

May 23, 2023

To: Bonner County Commissioners

From: Matt Mulder, PE Road and Bridge Staff Engineer

Re: State and Local Agreement for Construction of FY2022 Local Highway Safety Improvement Program – Clear Zone Safety Improvements

In 2020 Road & Bridge submitted a safety grant application to clear trees and brush from within County ROW's on three roads which have had accidents where motorists have left the roadway and impacted trees. LHTAC selected Bonner County for funding, and in 2021 Bonner County signed the State and Local Agreement to design the project for bidding.

The roads selected for clearing based on a fixed cost variable quantity contract will be:
Luby Bay Rd
Lakeshore Dr
Upper Pack River Road

The project will target the largest trees on each corridor first, as they are the most difficult for our crews to remove.

The total reduced project cost during the design phase was initially estimated to be \$642,000, which was a reduced scope of work from what Bonner County originally applied for. LHTAC reduced the scope in order to fit the project into the budget constraints of their program. **LHTAC has recently made additional money available which would increase the total construction project cost out to \$998,000.00.** This will allow many more trees to be removed, and the project was designed with this expansion possibility in mind as it lends itself well to the fixed cost variable quantity setup.

Of that total, Bonner County will pay 7.34% for an estimated match of \$72,198.00 which will be due at the signing of this agreement and will come from from 002-9000-“Grant County Match” which has a remaining balance of \$370,838.00, a \$47,122 portion of which is obligated to this project, and from 032-8550, which has a remaining balance of \$47,363 to cover the additional \$25,076 in match required by restoring a larger scope of this project with the additional funding.

Instructions: 1 copy to R & B

Legal Review: LHTAC/ITD standard agreement previously reviewed by legal.

Auditing Review: *ms*

A suggested motion would be: **I move the Board of Bonner County Commissioners approve the State and Local Agreement for Construction of Project Key #22876 – Clear Zone Safety Improvements, and make the final match payment of \$72,198.00**

Recommendation Acceptance: yes no _____ date: _____
Commissioner Steven Bradshaw, Chairman

DRAFT

STATE/LOCAL AGREEMENT
(CONSTRUCTION)
PROJECT NO. A022(876)
CLEAR ZONE SAFETY IMPROVEMENTS
BONNER COUNTY
KEY NO. 22876

PARTIES

THIS AGREEMENT is made and entered into this _____ day of _____, _____, by and between the **IDAHO TRANSPORTATION BOARD** by and through the **IDAHO TRANSPORTATION DEPARTMENT**, hereafter called the **State**, and **BONNER COUNTY**, acting by and through its Board of Commissioners, hereafter called the **Sponsor**.

PURPOSE

The Sponsor has requested federal participation in the costs of Clear Zone Safety Improvements. which has been designated as Project No. A022(876). This Agreement sets out the responsibilities of the parties in the construction and maintenance of the project.

Authority for this Agreement is established by Section 40-317 of the Idaho Code.

The Parties agree as follows:

SECTION I. GENERAL

1. This Agreement is entered into for the purpose of complying with certain provisions of the Federal-Aid Highway Act in obtaining federal participation in the construction of the project.
2. Federal participation in the costs of the project will be governed by the applicable sections of Title 23, U.S. Code (Highways) and rules and regulations prescribed or promulgated by the Federal Highway Administration, including, but not limited to, the requirements of 23 U.S.C. §313.23 and CFR §635.410.

3. Funds owed by the Sponsor shall be remitted to the State through the ITD payment portal at:
<https://apps.itd.idaho.gov/PayITD> .
4. All information, regulatory and warning signs, pavement or other markings, and traffic signals, the cost of which is not provided for in the plans and estimates, must be erected at the sole expense of the Sponsor upon the completion of the project.
5. The location, form and character of all signs, markings and signals installed on the project, initially or in the future, shall be in conformity with the Manual of Uniform Traffic Control Devices as adopted by the State.
6. This State/Local Agreement (Construction) upon its execution by both Parties, supplements the State/Local Agreement (Project Development) by and between the same parties, dated July 14, 2021.
7. Sufficient Appropriation. It is understood and agreed that the State is a governmental agency, and this Agreement shall in no way be construed so as to bind or obligate the State beyond the term of any particular appropriation of funds by the Federal Government or the State Legislature as may exist from time to time. The State reserves the right to terminate this Agreement if, in its sole judgment, the Federal Government or the legislature of the State of Idaho fails, neglects or refuses to appropriate sufficient funds as may be required for the State to continue payments. Any such termination shall take effect immediately upon notice and be otherwise effective as provided in this Agreement.

SECTION II. That the State shall:

1. Enter into an Agreement with the Federal Highway Administration covering the federal government's pro rata share of construction costs.
2. Advertise, open bids, prepare a contract estimate of cost based on the successful low bid and notify the Sponsor thereof.

3. Award a contract for construction of the project, based on the successful low bid, if it does not exceed the State's estimate of cost of construction by more than ten (10) percent. If the low bid exceeds the estimate by more than 10%, the bid will be evaluated, and if justified, the contract will be awarded and the Sponsor will be notified.
4. Obtain concurrence of the Sponsor before awarding the contract if the Sponsor's share of the low bid amount exceeds the amount set forth in Section III, Paragraph 1 by more than ten (10) percent.
5. Provide to the Sponsor sufficient copies of the Contract Proposal, Notice to Contractors, and approved construction plans.
6. Designate a resident engineer and other personnel, as the State deems necessary, to supervise and inspect construction of the project in accordance with the plans and specifications in the manner required by applicable state and federal regulations. This engineer, or his authorized representatives, will prepare all monthly and final contract estimates and change orders, and submit all change orders to the Sponsor for their concurrence. If the Sponsor's share of any change order exceeds \$1,000.00, the State will submit a statement to the Sponsor indicating the amount owed by the Sponsor.
7. Appoint the Local Highway Technical Assistance Council as the contract administrator for the State.
8. Notify the Sponsor when construction engineering and inspection (CE&I) costs have reached approximately 85% of the estimated cost for CE&I.
9. Maintain complete accounts of all project funds received and disbursed, which accounting will determine the final project costs.
10. Upon completion of the project, after all costs have been accumulated and the final voucher paid by the Federal Highway Administration, provide a statement to the Sponsor summarizing the estimated and actual costs, indicating an adjustment for or against the Sponsor.

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Any excess funds transmitted by the Sponsor and not required for the project will be applied to any outstanding balance the Sponsor may have on a previously completed project. If no such outstanding balance exists, the excess funds will be returned to the Sponsor.

SECTION III. That the Sponsor shall:

1. Pay to the State before the advertisement for bids, the amount of **SEVENTY-TWO THOUSAND ONE HUNDRED NINETY EIGHT (\$72,198)**, which is the Sponsor's estimated share of the cost for construction plus preliminary engineering, and construction engineering & inspection (CE&I), and after deducting credit for the Sponsor's previous deposit as applies to Preliminary Engineering and the Sponsor's match for the consulting agreement. These costs and the Sponsor's match are detailed in the attached *Worksheet for State/Local Construction Agreements* marked Exhibit A. The actual cost to the Sponsor will be determined from the total quantities obtained by measurement plus the actual cost of engineering and contingencies required to complete the work. Construction engineering, inspection and contingencies will be approximately 24% of the total construction cost.
2. Upon approval of the lowest qualified bid received, if the Sponsor's share exceeds the amount set forth in Section III, Paragraph 1, transmit to the State the Sponsor's portion of such excess cost.
3. Authorize the State to administer the project and make any necessary changes and decisions within the general scope of the plans and specifications. Prior approval of the Sponsor will be obtained if it is necessary, during the life of the construction contract, to deviate from the plans and specifications to such a degree that the costs will be increased or the nature of the completed work will be significantly changed.
4. Designate an authorized representative to act on the Sponsor's behalf regarding action on change orders. That authorized representative's name is Jason Topp, Phone No. 208-255-5681.
5. When change orders are submitted by the State for

approval pursuant to Section II, Paragraph 6, the Sponsor or its authorized representative shall give approval of same as soon as possible, but no later than ten (10) calendar days after receipt of the change order. If approval is delayed, any claims due to that delay shall be the responsibility of the Sponsor.

6. Upon receipt of any statement referred to in Section II, Paragraphs 6 and 10, indicating an adjustment in cost against the Sponsor, promptly remit to the State a check or warrant in that amount.
7. Maintain the project upon completion to the satisfaction of the State. Such maintenance includes, but is not limited to, preservation of the entire roadway surface, shoulders, roadside cut and fill slopes, drainage structures, and such traffic control devices as are necessary for its safe and efficient utilization. Failure to maintain the project in a satisfactory manner will jeopardize the future allotment of federal-aid highway funds for projects within the Sponsor's jurisdiction.
8. To the extent permitted by Idaho law and as provided by the Idaho Tort Claims Act, indemnify, save harmless the State, regardless of outcome, from the expenses of and against suits, actions, claims or losses of every kind, nature and description, including costs, expenses and attorney fees that may be incurred by reason of any act or omission, neglect or misconduct of the Sponsor or its consultant in the design, construction and maintenance of the work which is the subject of this Agreement, or Sponsor's failure to comply with any state or federal statute, law, regulation or rule. Nothing contained herein shall be deemed to constitute a waiver of the State's sovereign immunity, which immunity is hereby expressly reserved.

DRAFT

EXECUTION

This Agreement is executed for the State by its Division Administrator, and executed for the Sponsor by the Board of Commissioners, attested to by the County Clerk, with the imprinted corporate seal of Bonner County.

IDAHO TRANSPORTATION DEPARTMENT

Division Administrator

ATTEST:

BONNER COUNTY

County Clerk

Chairman, Board of Commissioners

(SEAL)

By regular/special meeting
on _____.

Commissioner

Commissioner

RR:22876 SLA CN

Improvements

*State/Local Agreement (Construction)
Clear Zone Safety
Key No. 22876
Page No. 6*

DRAFT

WORKSHEET FOR STATE / LOCAL CONSTRUCTION AGREEMENTS

Key No: 22876
 Project No: A022(876)
 Project Name: Clear Zone Safety Improvements
 Sponsor: Bonner County - Bonner County
 Description of work:

Date of State/Local Agreement for Project Development: 7/14/2021

TOTAL ESTIMATED COST OF CONSTRUCTION <i>Includes E&C</i> \$998,000 APPROVED FORCE ACCOUNT WORK \$0 PLUS PE BY STATE (from 2101) \$1,500 PLUS PL BY LHTAC (from 2101) \$25,000 PLUS PC (from PC Agreements) \$95,309 MINUS ALL NON-PARTICIPATING PARTICIPATING TOTAL \$1,119,809	FEDERAL	LOCAL
MATCH PERCENTAGES	92.66%	7.34%
PERCENTAGE AMOUNTS	\$1,037,615.02	\$82,193.98
MINUS FEDERAL MAXIMUM	\$0	
ADD OVERAGE (If Any To Local)	1,037,615	\$0
LOCAL SHARE OF CONSTRUCTION AMOUNT		\$82,194

ADJUSTMENTS

PLUS ALL NON-PARTICIPATING (From above if work by contract) \$0
MINUS FUNDS ADVANCED BY THE SPONSOR FOR STATE PE (from PD Agreement) \$3,000
MINUS APPROVED FORCE ACCOUNT WORK (From above) \$0
MINUS PRELIMINARY ENGINEERING PAID BY LOCAL \$6,996
(If LPA has not rec'd reimbursement, use actual PC dollars paid by LPA)
(If LPA has rec'd reimbursement, use local match % of actual PC dollars paid by LPA)
(Amounts must be supported by District Records Inspector Audit)

CONSTRUCTION AMOUNT REQUIRED FROM SPONSOR AFTER ADJUSTMENTS \$72,198

Construction Estimate (CN): \$805,000.00 Non-Bid Items : \$0.00 Contingencies (5.0%): \$40,250.00 Const Engineering (CE&I 15.0%): \$120,000.00 Const Admin (CL 3.73%): \$30,000.00 Const Admin (CE .3%): \$2,750.00 TOTAL CN ESTIMATED COST: \$998,000.00	Program Funds CE: \$2,750.00 CL: \$30,000.00 CC: \$120,000.00 Contingency: \$40,250.00 CN: \$805,000.00 CN & CEI OTIS: \$998,000.00
Difference:	\$0.00

Comments:
 Design Agreement Administrator - Brian Wright, P.E.
 Resident Engineer - Kevin Kuther, P.E.

PREPARED BY: Craig Herndon & Ryan Rush Date: 5/10/2023

DRAFT



Bonner County
Risk Management
1500 Hwy 2, Suite 337, Sandpoint Idaho 83864

May 23, 2023

Memorandum

Risk Management

To: Commissioners
Re: Budget Adjustment - Statutory Reserve

Description:

Idaho Code 31-1605 and 31-4603 provide that in the event of any unforeseen contingency arising, which could not reasonably have been foreseen at the time of making the budget, and which shall require the expenditure of money not provided for in the budget. the Board of County Commissioners. by unanimous vote thereof, shall have the right to make an appropriation from the statutory reserves to the office, department, service, agency or institution in which said contingency arises, in such amount as shall be determined by resolution of said Board.

At the time the FY 2022 budget was prepared, an exact dollar amount needed to cover the fees and expenses necessary to cover the expenses for recruitment advertising and pre-employment screening processes in the Human Resource budget.

The Statutory Reserve Budget has funds available to cover the unanticipated budget needed by the County and Idaho Code allows for the Statutory Reserve funds to be used for this purpose.

Approved by Legal: Approved by Auditing: [Signature]

Distribution: Original to BOCC
Copy to Prosecutor and civil attorney, William Wilson
Copy to Auditing

A suggested motion would be: Mr. Chairman based on the information before us I move to approve Resolution 2023-___ authorizing the Clerk to open the Statutory Reserve budget and decrease line item 01120-7860 Statutory 5% Reserve by \$65,000.00 and increase line item 024 6870 Tort Deductible in the amount of \$65,000.00.

Recommendation Acceptance: Yes ___; No ___; Signed: Commissioner Steven Bradshaw, Chairman Date: ___

DRAFT

RESOLUTION NO. 2023-____
Risk Management
Budget Adjustment Authorization
& Statutory Reserve Appropriations

WHEREAS, Idaho Code Section 31-1605 provides that the Board of County Commissioners may adjust the budget, so long as there shall be no increase in anticipated property taxes; and

WHEREAS, the Bonner County Tort Fund has insufficient funds to pay its outstanding claims; and

WHEREAS, unscheduled funds in the amount of \$65,000 has been identified as available and deployable for claim payment expenses.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Bonner County, Idaho hereby authorizes the Clerk to open the Statutory Reserve budget and decrease line item 01120-7860 Statutory 5% Reserve (I.C. 31-1605) by \$45,000 and increase line item 024 6870 Tort Deductible in the amount of \$65,000

Adopted as a unanimous Resolution of the Board of Commissioners of Bonner County, Idaho on the 23rd day of May 2023.

BOARD OF BONNER COUNTY COMMISSIONERS

Steven Bradshaw, Chairman

Asia Williams, Commissioner

Luke Omodt, Commissioner

ATTEST: Michael Rosedale

By _____
Deputy Clerk



Commissioner
Williams Item #1

Jessi Reinbold <jessi.reinbold@bonnercountyid.gov>

DRAFT

Tuesday agenda item

Asia Williams <asia.williams@bonnercountyid.gov>

Wed, May 17, 2023 at 12:29 PM

To: Jessi Reinbold <jessi.reinbold@bonnercountyid.gov>, Claire May <claire.may@bonnercountyid.gov>

Please place an agenda item action decision to review the assignment to Sewell engineering as it relates to the Bonner county fairground RV campground/boundary line adjustment