



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.

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

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

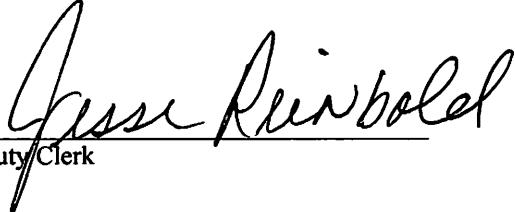
property. Commissioner Williams seconded the motion. Roll Call Vote: Commissioner Omodt – Yes. Commissioner Williams – Yes. Commissioner Bradshaw – Yes. The motion passed. Commissioner Omodt made a motion to approve resolution #2023-34 amending the Bonner County Project Land Use Map. Commissioner Williams 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).

ATTEST: Michael W. Rose date

By 
Chairman Steve Bradshaw

By 
Deputy Clerk

05-23-23
Date