



Bonner County

Board of Commissioners

Luke Omodt

Steve Bradshaw

Asia Williams

MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

June 20, 2023 – 9:00 A.M.

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

On Tuesday, June 20, 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 Mark Hammer and the Pledge of Allegiance followed.

PUBLIC COMMENT – *Allowance of 60 minutes.*

Commissioner Bradshaw spoke regarding a severance package that was given to an employee, and another employee that was the basis of discussion of a potential bonus type award upon retirement. Discussed the particular position and the duties of this employee and his pay rate during his duration of employment at Bonner County. Commissioner Bradshaw introduced Sarah Zabell, Major General, USAF. Ms. Zabell spoke regarding Veteran's Services in Bonner County and the importance of these services to the service member and community.

Commissioner Bradshaw opened up public comment at 9:10 a.m.

Jennifer Kramer spoke regarding severance pay and the agenda item and her preference of tax money to go for goods and services versus severance pay.

Brian Domke publicly thanked Road and Bridge and anyone else involved in the Dufort rd culvert repair. Asked about the requirements to schedule a special meeting.

Kamell ?? stated that he doesn't think that the county can afford to give out severance packages.

Melinda Rossman asked the BOCC to be respectful to one another.

Susan Drumheller spoke regarding speaking in regard to water and land use codes and cutting PHD out of Planning processes within the county. Stated that PHD needs to be involved from the beginning.

Dan Rose spoke regarding Commissioner Bradshaw's statements regarding Veteran's versus the job duties of the VSO officer.

Kristen Dodd spoke regarding the topic of severance pay and stated that severance should not be paid severance based on a lack of contract pay (back pay)

Shari Dovale spoke regarding the VSO pay and severance packages.

Debby Trinen believes that severance pay sets a bad precedence, stated executive sessions are for private conversations and the release of that information is not ethical and it needs to stop.

Commissioner Williams commented on Executive Sessions and the narrow scope of ES's and stated that she was transparent.

Spencer Hutchings spoke regarding the Fairground's campground expansion project.

John Dupree thanked the BOCC for allowing public comment.

Rick Kramer spoke regarding a statement made by Commissioner Bradshaw regarding the VSO job Description.

Dan Rose asked what the VSO Officer made.

Aaron Kline, a Veteran, spoke regarding the VSO salary and stated if the VSO was underpaid, then the back pay is warranted.

Sue Fagan, Veteran, spoke regarding the rude comments made by the audience.

Dave Bowman asked about the Special Meeting that was scheduled on June 16, asked why it was special meeting versus being on the agenda. Commissioner Omodt stated that we are on a timeline and that was why the meeting was held as a special meeting versus on the regular agenda.

Kristen Dodd asked how much was proposed to be paid to the VSO Officer.

Shari Dovale inquired about the scheduling of the special meetings on 6/21

Kristina Nichols Anderson spoke regarding the proposed severance of the VSO

Kristine Noella appreciates the hard work put in by Commissioner Williams on the Dufort Vay rezone and appreciates the work of the BOCC

Reg Crawford spoke regarding the Hearing Examiner and files coming before them, stated that the 1:30 p.m. time is difficult and should be heard at night.

Theresa Hiesener spoke regarding a large development coming to Blanchard, stated that she has concerns about the conversations between the Counties and the Cities

Debby Trinen spoke regarding the Fairgrounds Campground expansion project and previous comments made. Stated that she feels the location is appropriate.

Dan Rose stated that open meetings are for the BOCC to discuss County issues, asked Commissioner Omodt to elaborate on his comments to the Fairboard at the last meeting.

Shari Dovale asked again about the special meetings scheduled for tomorrow.

Commissioner Bradshaw closed public comment at 10:10 a.m.

ADOPT ORDER OF THE AGENDA

Commissioner Williams made a motion to amend the order of the agenda to place the Human Resources ES onto the open meeting agenda. Commissioner Omodt seconded the motion for discussion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – No, Commissioner Bradshaw – Yes. The motion passed.

Commissioner Omodt made a motion to approve the order of the agenda as presented. Commissioner Williams seconded for advancement. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – No, 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.

CONSENT AGENDA – Action Item

1) Bonner County Commissioners' Minutes for June 13, 2023

2) Liquor Licenses: The Bernklau, Sandpoint, ID

3) Invoice Over \$5K: Sheriff

4) Catering Permit: Eichardt's Pub, Sandpoint, ID

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.

PROSECUTOR – Louis Marshall

1) Action Item: Discussion/Decision Regarding the Resolution Authorizing the Destruction of Records from the Prosecutor's Office; **Resolution**

Commissioner Williams made a motion to approve Resolution #2023-48 Authorizing the Destruction of Records from the Prosecutor's Office. Commissioner Omodt seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. All in favor. The motion passed.

AIRPORT – Dave Schuck

- 1) Action Item: Discussion/Decision Regarding Recommendation to Engage Ardurra in Contract Negotiations for Bonner County Airport's Engineering Consultant.

Commissioner Omodt made a motion to approve engaging Ardurra in contract negotiations for Bonner County Airport's engineering consultant. Commissioner Williams seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams Yes, Commissioner Bradshaw – Yes. All in favor. The motion passed.

EMERGENCY MANAGEMENT – Bob Howard

- 1) Action Item: Discussion/Decision Regarding the Contract for Hazardous Fuels Treatment with American Firefighter Company, BONFIRE Program

Commissioner Williams made a motion to approve the contract for Hazardous Fuels Treatment with American Firefighter Company for project work on the BONFIRE program. Commissioner Omodt seconded the motion. Roll Call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. All in favor. The motion passed.

JUSTICE SERVICES – Ron Stultz

- 1) Action Item: Discussion/Decision Regarding Surplus of a 2006 Ford EC3 Van, VIN 1FBNE31L16HA15493 to be Sold at the next scheduled Bonner County Auction; **Resolution**

Commissioner Omodt made a motion to approve Resolution #2023-49 the surplus of a 2006 Ford EC3 Van, VIN 1FBNE31L16HA15493 to be Sold at the next scheduled Bonner County Auction. 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 Surplus of a 2005 Utility Trailer, VIN 2SWUW11A45S018296 to be Transferred to Bonner County Emergency Management; **Resolution**
Commissioner Williams made a motion to approve Resolution #2023-50 the Surplus of a 2005 Utility Trailer, VIN 2SWUW11A45S018296 to be Transferred to Bonner County Emergency Management. 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 Increasing the Spending Authority from \$5,000.00 to \$20,000.00 for the Colburn Improvements Project; **Resolution**

Commissioner Omodt made a motion to approve Resolution #2023-51 increasing the spending authority from \$5,000.00 to \$20,000.00 for the Colburn Improvements Project. Commissioner Williams seconded the motion for advancement.

Commissioner Williams stated that she did not feel that this was necessary, stated that a verbal approval could suffice and requested to hold off on this approval until tomorrow when a Solid Waste hearing is scheduled. Spencer Ferguson, County Engineer, stated that this approval would keep their process uninterrupted. Commissioner Williams disagreed and again stated that a phone call would suffice. Mr. Ferguson stated that his fear is that contractor payment will be delayed. Commissioner Williams stated that we should not be approving a one off, this process should be looked at as a whole. There were several public comments.

Roll Call vote: Commissioner Omodt – Yes, Commissioner Williams – no, Commissioner Bradshaw – No. All in favor. The motion did not pass.

BOCC – Commissioner Omodt

- 1) Action Item: Discussion/Decision Regarding Four Letters of Support, for Kaniksu LLC's Grant Application to Expand Broadband Access to Oden, Priest Lake, Sagle, and Selle

Commissioner Omodt made a motion to approve four Letters of Support for Kaniksu Grant Proposal for High-Speed Fiber Broadband. Commissioner Williams seconded the motion to advance for discussion. Commissioner Williams stated that to be fair with the process she stated that she still feels the same and that Government should not be involved in private industry. There was brief public comment. Roll Call vote: Commissioner Omodt –

Yes, Commissioner Williams – No, Commissioner Bradshaw – Yes. The motion passed.

BOCC – Commissioner Williams

- 1) Action Item: Discussion/Decision Regarding Review of the Process by Which at the Time of Separation, the Board of County Commissioners Determine Whether or Not to Issue a Severance Check Up to a Year's Salary.

Commissioner Williams clarified some misstatements made in the BOCC business meeting, and explained her stance on this point, stated the process is not in best practice and not in line with HR policies. There currently is no policy in place to evaluate post work payment. Stated that this was not an Executive Session item, and we should follow best practices. Encourages the idea of clear process and procedure. Stated that legal does not advise doing a memo and that the item should have been a public discussion item. Commissioner Williams invited the public comment for discussion. There was a public discussion. There was no motion.

- 2) Action Item: Discussion/Decision Steam and Zoom for Public Meetings to include meetings that are Noticed within 24 Hours

Commissioner Williams stated that most of the special meeting topics can be held as a regular business meeting agenda as meaningful input from the public is important.

Commissioner Williams moved to stream all meetings, including special meetings scheduled within 24 hour.

Commissioner Omodt seconded the motion for advancement. There was a discussion between the BOCC.

Commissioner Williams repeated her motion to read: Commissioner Williams may approve streaming and zooming all meetings, to include meetings with a 24-hour notice as this little notice limits public involvement due to short notice, this motion includes a disclaimer that there may be times that the urgency of an issue or a staffing issue that the meeting may not be available for streaming or zooming. Commissioner Omodt seconded the motion. Roll Call vote: Commissioner Omodt –No, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. The motion passed.

Recessed at 12:37 p.m.

Readjournd at 12:45 p.m.

EXECUTIVE SESSION – Emergency Management

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

At 12:45 p.m. Commissioner Williams made a motion to go into Executive Session under Idaho Code § 74-206 (1) (F) Litigation. Commissioner Omodt seconded the motion. Roll call vote: Commissioner Omodt – Aye, Commissioner Williams – Aye, Commissioner Bradshaw – Aye. All in favor. The motion passed.

Commissioner Bradshaw reconvened the meeting at 12:55 p.m.

Commissioner Omodt made a motion to proceed as directed in ES relating to the BONFIRE program. Commissioner Williams seconded the motion. Roll call vote: Commissioner Omodt – Aye, Commissioner Williams – Aye, Commissioner Bradshaw – Aye. All in favor. The motion passed.

EXECUTIVE SESSION – Human Resources

- 1) Executive Session under Idaho Code § 74-206 (1) (B) Personnel
Action Item: Discussion/Decision Regarding Personnel, Recreation
Action Item: Discussion/Decision Regarding Personnel, Veterans

At 12:56 p.m. Commissioner Omodt made a motion to go into Executive Session under Idaho Code § 74-206 (1) (A) Hiring & (1) (B) Personnel. Commissioner Bradshaw stepped down from the Chair and seconded the motion. Roll call vote: Commissioner Omodt – Aye, Commissioner Williams – Abstain, Commissioner Bradshaw – Aye. The motion passed.

Commissioner Bradshaw reconvened the meeting at 1:43 p.m.

Commissioner Omodt made a motion to proceed as directed regarding recreation. Commissioner Williams seconded the motion. Roll call vote: Commissioner Omodt – Aye, Commissioner Williams – Aye, Commissioner Bradshaw – Aye. The motion passed.

Commissioner Bradshaw adjourned the meeting at 1:43 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 June 13, 2023 – June 19, 2023
Copies of the complete meeting minutes are available upon request.

On Tuesday, June 13, a Planning Update was held pursuant to Idaho Code §74-204 (2).

On Wednesday, June 14, 2023, Tax Cancellations were held pursuant to Idaho Code §74-204 (2). Approved; RP59N01W280601, MH55N06W13045L(T)

On Wednesday, June 14, 2023, Assistance was held pursuant to Idaho Code §74-204 (2).

On Wednesday, June 14, 2023, an Executive Session with Human Resources & PayneWest was held pursuant to Idaho Code §74-204 (2) and Idaho Code § 74-206 (1) (D) Records Exempt.

On Wednesday, June 14, 2023, a Planning Hearing was held pursuant to Idaho Code §74-204 (2). Commissioner Omodt moved to APPROVE the project File CUP0017-22 requesting a large-scale residential Planned Unit Development on an approximately 3.17-acre Recreation-zoned property located off Copper Bay Road in Section 9, Township 61 North, Range 4 West, Boise-Meridian, finding that it is in accord with the Bonner County Comprehensive Plan and the Bonner County Revised Code based upon the following Conclusions of Law:

1. The planned unit development is in accord with the Bonner County comprehensive plan.
2. The proposed planned unit development or the first phase of it can be substantially completed within two (2) years from the date of approval.
3. Each individual development phase can exist as an independent unit meeting the minimum standards set forth in this subchapter.
4. The streets and thoroughfares proposed are suitable and adequate to gather anticipated traffic and will not generate traffic in amounts that will overload the street network outside the planned unit development. Connections to public transportation systems have been considered.
5. Any residential development will constitute a residential environment of sustained desirability and stability and will be in harmony with the character of the surrounding neighborhood and community.
6. Any proposed commercial or industrial development will constitute an efficient well organized development, with adequate provisions for access and storage, and it will not adversely affect adjacent or surrounding development.
7. The proposed use will not create a hazard or will not be dangerous to persons on or adjacent to the property.

The decision was based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. Commissioner Omodt further moved to adopt the findings of fact as set forth in the Staff Report and directed the planning staff to draft written findings and the conclusions to reflect this motion, have the Chairman sign, and transmit it to all interested parties. The action that could be taken to obtain the conditional use

permit is to complete the Conditions of Approval as amended. This action does not result in the taking of private property. Commissioner Williams seconded the motion.

Roll Call Vote: Commissioner Omodt-Aye, Commissioner Williams-Aye, Commissioner Bradshaw-Aye All in favor. The motion passed. Commissioner Omodt moved to approve the preliminary subdivision plat, File SS0009-22 requesting to subdivide an approximately 3.17-acre Recreation-zoned property located off Copper Bay Road in Section 9, Township 61 North, Range 4 West, Boise-Meridian into 7 residential lots and 5 utility or storage tracts, finding that it is in accord with the Bonner County Comprehensive Plan and Bonner County Revised Code based upon the following Conclusions of Law:

1. The proposed subdivision is in accord with the purposes of this Title and of the zoning district in which it is located.
2. The site is physically suitable for the proposed development.
3. The design of the proposed subdivision will not adversely impact Bonner County's natural resources, as identified in the comprehensive plan. Any adverse impacts or potential for impacts shall be mitigated as a condition of approval.
4. The public and private services, including but not limited to water, sewer services, solid waste, fire protection, emergency services, and school facilities and transportation, which will serve the proposed subdivision are adequate for the needs of future residents or users.
5. The proposed subdivision will not cause circumstances to exist that will cause future residents or the public at large to be exposed to hazards to health or safety.
6. The design of the proposed subdivision or related improvements will provide for coordinated access with the county system of roads and with adjacent properties and will not impede the use of public easements for access to, or through the proposed subdivision. The proposed transportation system is designed to adequately and safely serve the future residents or users without adversely impacting the existing transportation system by reducing the quality or level of service or creating hazards or congestion. The proposed subdivision is designed to comply with the design criteria for subdivisions set forth in Subchapter 6.2 of this chapter.

The proposed subdivision is in accord with the Bonner County Comprehensive Plan. The decision was based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. Commissioner Omodt further moved to adopt the findings of fact as set forth in the Staff Report and directed planning staff to draft written findings and conclusions to reflect the motion, have the Chairman sign, and transmit the decision to all interested parties. The action that could be taken to obtain the conditional use permit is to complete the Conditions of Approval as amended. This action does not result in a taking of private property.

Commissioner Williams seconded the motion. Roll Call Vote:

Commissioner Omodt- Aye, Commissioner Williams- Aye, Commissioner Bradshaw- Aye. All in favor. The motion passed. Commissioner Williams moved to deny this project, FILE AM0002-23, requesting a comprehensive land use plan map amendment from Rural Residential to Neighborhood Commercial, based upon the following conclusions:

Conclusion 1

The proposal is not in accordance with the general and specific objectives of the comprehensive plan.

Conclusion 2

This proposal was reviewed for compliance with Title 12, Bonner County Revised Code, and is not found to be in compliance.

Conclusion 3

The proposal is not in accord with the Neighborhood Commercial comprehensive land use plan designation.

Conclusion 4

Urban services are not available on the subject site.

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 findings of fact and conclusions of law as set forth in the Staff Report (or as amended during this 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 --- seconded the motion. Roll call vote: Commissioner Omodt – Aye, Commissioner Williams – Aye, Commissioner Bradshaw – Nay. The motion passed.

On Thursday, June 15, 2023, an Executive Session was held pursuant to Idaho Code §74-204 (2) and Idaho Code § 74-206 (1) (B) Personnel. Commissioner Williams made a motion to proceed as directed. Commissioner Omodt seconded the motion. Roll call vote: Commissioner Omodt – abstain, Commissioner Williams – yes, Commissioner Bradshaw – yes. The motion passed.

On Thursday, June 15, 2023, a Special Meeting for Road & Bridge was held pursuant to Idaho Code §74-205(1). Commissioner Omodt made a motion approve the contract with Quigg Bros Inc, in the amount of \$393,000, so that the emergency repairs can move forward. Commissioner Williams seconded the motion. Roll call vote: Commissioner Omodt – Aye, Commissioner Williams – Aye, Commissioner Bradshaw – Aye. All in favor. The motion passed.

On Thursday, June 15, 2023, a Bid Opening for EMS Station #1 and Office Space was held pursuant to Idaho Code §74-204 (2). Commissioner Omodt made a motion to remand these bids over to Engineering for analysis and recommendation. Commissioner Bradshaw stepped down from the Chair and seconded the motion. Roll Call Vote: Commissioner Omodt – Yes, Commissioner Bradshaw – Yes. The motion passed.

On Friday, June 16, 2023, a Special Meeting was held pursuant to Idaho Code §74-205(1). Commissioner Omodt made a motion to approve the application for a rezone to the City of Sandpoint on Bonner County property for the fairground's campground expansion project. Commissioner Williams seconded to advance for comment. Roll call vote: Commissioner Omodt – Aye, Commissioner Williams – abstained, Commissioner Bradshaw – Aye. The motion passed. Commissioner Omodt made a motion to approve the application for a conditional use permit to the City of Sandpoint for the fairground's campground expansion project. Commissioner Bradshaw stepped down from the chair and seconded the motion. Roll call vote: Commissioner Omodt – Aye, Commissioner Williams – no, Commissioner Bradshaw – Aye. The motion passed.

ATTEST: Michael W. Rosedale

By 
Chairman Steve Bradshaw

By 
Deputy Clerk

06-27-2023
Date