



# Bonner County

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## Board of Commissioners

Luke Omodt

Steve Bradshaw

Asia Williams

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

November 7, 2023 – 9:00 A.M.

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

On Tuesday, November 7, 2023, the Bonner County Commissioners met for their regularly scheduled meeting with Commissioners Omodt, Bradshaw, and Williams present. Commissioner Omodt called the meeting to order at 9:00 a.m. The Invocation was presented by Pastor Dan York and the Pledge of Allegiance followed.

#### **PUBLIC COMMENT –**

Jessica Fry thanked Commissioners Omodt and Bradshaw for their support of the memorial for Darcey Smith.

#### **ADOPT ORDER OF THE AGENDA AS PRESENTED**

Commissioner Bradshaw made a motion to adopt the order of agenda as presented. Commissioner Williams seconded the motion.

Commissioner Williams inquired as to what the Litigation ES was for, also inquired if there are any documents available. Commissioner Omodt responded by asking as to why there was an issue with the litigation request and not the HR request, that is lacking documents also.

Roll call vote: Commissioner Williams – No, Commissioner Omodt – Yes, Commissioner Bradshaw – Yes. The motion passed.

**DISTRICT 1 REPORT** – Commissioner Bradshaw gave an extensive report of issues and activities.

**DISTRICT 2 REPORT** – Commissioner Williams gave an extensive report of issues and activities. Invited public questions and comments.

**DISTRICT 3 REPORT** – Commissioner Omodt gave an extensive report of issues and activities.

#### **CONSENT AGENDA – Action Item**

- 1) Bonner County Commissioners' Minutes for October 31, 2023
- 2) Liquor Licenses: WalMart #2485, Ponderay, ID; Spud's Waterfront Grill, Sandpoint, ID; Cabin View Winery, Sandpoint, id; Family Dollar Store #32717, Priest River, ID; Family Dollar Store #32659, Oldtown, ID; Mitchell's Harvest Foods, Priest River, ID; Tamrak Store, Priest Lake, ID; Connie's Café & Lounge, Sandpoint, ID; The Ranch Club, Priest River, ID; Holiday Shores Marina, Hope, ID; Yoke's Fresh Market, Ponderay, ID; Coleman Oil-Ponderay One Stop, Ponderay, ID; Odie's Bayside Grocery, Sagle, ID; Idaho Pour Authority, Sandpoint, ID; Jammer, Priest River, ID; Westmond Chevron, Westmond, ID; Baxter's on Cedar/Baxter's the Backdoor, Sandpoint, ID; Priest Lake Marina, Priest Lake, ID
- 3) Plats for Approval: MLD0019-23, Fenton Addition; MLD0020-23, Jacobi
- 4) Invoices over \$5k: Solid Waste; Technology (Confidential); Sheriff (4, 3 Confidential)

Commissioner Williams made a motion to amend the consent agenda to remove the liquor license for Cabin View Winery and both MLDs. No second, the motion dies.

Commissioner Bradshaw made a motion to approve the consent agenda as presented. Commissioner Williams seconded the motion for discussion. Commissioner Williams discussed the need to obtain additional information on the issues that she requested be removed.

Roll call vote: Commissioner Williams – No, Commissioner Omodt – Yes, Commissioner Bradshaw – Yes. The motion passed.

#### **FACILITIES– Teddi Lupton**

1) Action Item: Discussion/Decision Regarding Budget Transfer, Overtime; **Resolution**

Commissioner Bradshaw made a motion to approve Resolution #2023-87 and authorize the transfer of \$8,000 from ARPA interest funds to Facilities 00110/6110 (overtime) budget and authorize the Chairman to sign administratively. Commissioner Williams seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. The motion passed.

2) Action Item: Discussion/Decision Regarding Capital Construction Carryover; **Resolution**

Commissioner Omodt stepped down from the chair and made a motion to approve Resolution #2023-88 to move \$4,547,571.76 from FY23 00118/9480 and \$1,828,339.93 from FY23 99918/9480 to FY24 00118/9480 and 99918/9480 for the carryover of the EMS Station 1/Office/DMV Project. Commissioner Bradshaw seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. The motion passed.

Commissioner Omodt recessed for 5 minutes at 9:51 a.m.

Commissioner Omodt resumed the meeting at 9:56 a.m.

Commissioner Williams did not return to the meeting, a note was left with the clerk

#### **TREASURER– Clorissa Koster**

1) Action Item: Discussion/Decision Regarding Approval of Courier Contract with Rush Delivery

Commissioner Bradshaw made a motion to approve the attached contract for Courier Services with Rush Delivery. The contract has been reviewed by legal. Commissioner Omodt stepped down from the chair and seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes (by proxy), Commissioner Bradshaw – Yes. The motion passed.

#### **NOXIOUS WEEDS– Chase Youngdahl**

1) Action Item: Discussion/Decision Regarding Destruction of Records; **Resolution**

Commissioner Bradshaw stepped down from the chair and made a motion to approve Resolution #2023-89 authorizing the destruction of Bonner County herbicide application records and state noxious weed cost share records as requested. Commissioner Omodt stepped down from the chair and seconded the motion.

Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. The motion passed.

#### **JUSTICE SERVICES – Ron Stultz**

1) Action Item: Discussion/Decision Regarding Bonner County Justice Services Juvenile Justice 22/23 Annual Report to DJC.

Commissioner Bradshaw made a motion to approve the 22/23 Juvenile Justice services 22/23 Annual Report.

Commissioner Omodt stepped down from the chair and seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes (by Proxy), Commissioner Bradshaw – Yes. The motion passed.

#### **RISK– Christian Jostlein**

1) Action Item: Discussion/Decision Regarding Transfer \$246,325 from Local and Tribal Consistency Funds account to Tort Fund - Liability Insurance; **Resolution**

Commissioner Bradshaw made a motion to approve Resolution #2023-90 for the transfer of \$246,325. Commissioner Omodt stepped down from the chair and seconded the motion. Roll Call Vote: Commissioner Omodt: Yes, Commissioner: Bradshaw. The motion passed.

Commissioner Omodt recessed the meeting at 10:10 a.m.  
Commissioner Omodt reconvened the meeting at 10: a.m.

**EXECUTIVE SESSION – Human Resources**

1) Executive Session under Idaho Code § 74-206 (1) (B) Personnel

Action Item: Discussion/Decision Regarding Sheriff's Office Employee Equity & Sheriff's Office

At 10:18 a.m. Commissioner Bradshaw made a motion to go into Executive Session under Idaho Code § 74-206 (1) (B) Personnel. Commissioner Omodt stepped down from the chair and seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Bradshaw – Yes. The motion passed.

Commissioner Omodt reconvened the meeting at 10:49 a.m.

Commissioner Bradshaw made a motion to proceed as discussed. Commissioner Omodt stepped down from the chair and seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. The motion passed.

**EXECUTIVE SESSION – Litigation**

1) Executive Session under Idaho Code § 74-206 (1) (F) Litigation

Action Item: Discussion/Decision Regarding Litigation

At 10:49 a.m. Commissioner Bradshaw made a motion to go into Executive Session under Idaho Code § 74-206(1)(F) Litigation. Commissioner Omodt stepped down from the chair and seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. The motion passed.

Commissioner Omodt reconvened the meeting at 11:12 a.m.

Commissioner Omodt stepped down from the Chair and made a motion to proceed as discussed regarding the expansion of the contract with Holland and Hart to address the new tort claim. Commissioner Bradshaw seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. The motion passed.

Commissioner Omodt stepped down from the Chair and moved to authorize Commissioner Luke Omodt to continue utilizing IC 31-802. Commissioner Bradshaw seconded the motion.

Commissioner Williams stated that feels like there should be an explanation as to why they are searching in her email box.

Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – No, Commissioner Bradshaw – Yes. The motion passed.

Commissioner Omodt stepped down from the Chair and moved that the BOCC be allowed to consult with the Bonner County Prosecuting Attorney to seek clarification of Judge Julians protective order and potentially hire outside counsel to assist in the drafting of the request. Commissioner Bradshaw seconded the motion. Commissioner Williams stated that the BOCC has no right to do anything related to a civil order of protection. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – No, Commissioner Bradshaw – Yes. The motion passed.

Commissioner Omodt stepped down from the Chair and move that the BOCC seek immediate counsel with Prosecuting Attorney Marshall regarding the body cam footage that has been consistently taken by members of the Bonner County Sheriff's Office in executive sessions of the Bonner County Commissioners. Commissioner Bradshaw seconded the motion and stated that he does so with the understanding of the severity of something accidentally happening to evidence not being presented in its entirety in its unedited version soon, that was done today from the time this ES started until it ends. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – No, Commissioner Bradshaw – Yes. The motion passed.

The meeting was adjourned at 11:16 a.m.

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The following is a summary of the Board of County Commissioners  
Special Meetings, (including Tax Cancellations, Assistance Meetings/Admin and other) Executive Sessions,  
Emergency Meetings and Hearings held during the week of October 31, 2023 – November 6, 2023  
Copies of the complete meeting minutes are available upon request.

On Wednesday, November 1, 2023, Tax Cancellations were held pursuant to Idaho Code §74-204 (2). Approved: RP56N01W101660, Homeowner's Exemption – Multiple Parcels

On Thursday, November 2, 2023, a Special Meeting for the BOCC was held pursuant to Idaho Code §74-204 (4). Commissioner Omodt stepped down from the chair and made a motion to establish an Audit Committee that will be responsible for submitting and creating, working with the legal counsel for the Board of County Commissioners to create and submit RFPs for an audit for Bonner County and an audit for the Bonner County Fairgrounds, and the Audit Committee will be the place where all communications will flow through, the members of this committee will be Commissioner Steve Bradshaw representing the Board of County Commissioners, the Clerk, the Comptroller, the Board of County Commissioners legal representative, and Treasurer Koster. Commissioner Bradshaw seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – No, Commissioner Bradshaw – Yes. The motion passed

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

On Monday, November 6, 2023, A Department Head Meeting was held pursuant to Idaho Code §74-204 (2).

On Monday, November 6, 2023, an Insurance Update was held pursuant to Idaho Code §74-204 (2) and Idaho Code § 74-206 (1) (D) Records Exempt.

ATTEST: Michael W. Rose date

By  \_\_\_\_\_  
Chairman Luke Omodt

Date

11/14/23

By  \_\_\_\_\_  
Deputy Clerk