



Bonner County

Board of Commissioners

Luke Omodt

Steve Bradshaw

Asia Williams

MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

February 14, 2023 – 9:00 A.M.

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

On Tuesday, February 14, 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 Jim Kubiak and the Pledge of Allegiance followed.

ADOPT ORDER OF THE AGENDA

Commissioner Omodt made a motion to amend the order of agenda by removing:

BOCC – Luke Omodt

- 3) Discussion Regarding Height Limits on Construction in Bonner County
- 4) Discussion Regarding RV Parks, Code Amendment

Commissioner Williams seconded the motion. All in favor. The motion passed.

Commissioner Williams made a motion to adopt the order of the agenda as amended. Commissioner Omodt seconded the motion. All in favor. The motion passed.

DISTRICT 2 REPORT – Commissioner Williams

Commissioner Williams had HR comment on the lock that was installed on her door among multiple other items

DISTRICT 3 REPORT – Commissioner Omodt

PUBLIC COMMENT –

Kathy Rose – Spoke in regards to the disrespect she perceives to be happening within the new board.

Dan Rose – Spoke in regards to Ordinance 200B Bonner County that is regard to the BOCC Business meeting and the need for a workshop to place items on the agenda.

Jim Kelly spoke in regards to the last business meeting when the use of zoom meetings was removed, suggested the use continue, also suggested that secondary audio and transcripts be used in case that someone misses something

Lilian Heicel – Spoke in regards to freedom of speech and being respectful, stated that Commissioner McDonald gave himself a raise and took from others to fund the BOCC raises. Stated that she feels it is fair that the commissioner's raise is representative of the people's income within the county.

Sheriff Daryl Wheeler echoed the prayer this morning, stated that there is a fork in the road and hopes that we can travel down a path of respect and asked for respect to Commissioner Williams.

David Bowman spoke in regards to the pet policy that was created last year and the fact that a planning commissioner consistently brings her dog, and requested that that policy be cleaned up.

Jennifer Eckstrom spoke in regards to continuing with zoom.

CONSENT AGENDA – Action Item

- 1) Bonner County Commissioners' Minutes for February 7, 2023

- 2) Invoices Over \$5K: Facilities, Road & Bridge (3)
 - 3) Plats for Approval: Storro Ridge File #MLD0044-21, Upland Meadows File #MLD0092-22, Derr Island Drainfield File #MLD0105-22
 - 4) Liquor License: Priest Lake Golf Course, Priest Lake, ID
- Commissioner Omodt made a motion to approve the consent agenda. Commissioner Williams seconded the motion. All in favor. The motion passed.

EMERGENCY MANAGEMENT – Bob Howard

- 1) Action Item: Discussion/Decision Regarding Contract for Hazardous Fuels Treatment, Idaho Grinding Industries LLC

Commissioner Williams made a motion to approve and sign the Contract for Hazardous Fuels Treatment between Bonner County and Idaho Grinding Industries LLC for project work on the BONFire program funded by an Idaho Department of Lands Grant with no County match. Commissioner Omodt seconded the motion. All in favor. The motion passed.

- 2) Action Item: Discussion/Decision Regarding Contract for Hazardous Fuels Treatment, Mountain View Forestry

Commissioner Omodt made motion to approve and sign the Contract for Hazardous Fuels Treatment between Bonner County and Mountain View Forestry for project work on the BONFire program funded by an Idaho Department of Lands Grant with no County match. Commissioner Williams seconded the motion. All in favor. The motion passed.

SOLID WASTE – Bob Howard

- 1) Action Item: Discussion/Decision Regarding Advertisement for Bids, Solid Waste Facilities Improvements Project

Commissioner Williams made a motion to authorize Solid Waste to re-advertise for bids for the Solid Waste Facilities Improvements Project. I further authorize the Chairman to sign administratively. Commissioner Omodt seconded the motion. All in favor.

HUMAN RESOURCES – Cindy Binkerd

- 1) Action Item: Discussion/Decision Regarding Request to Recruit, One Position

Commissioner Omodt made a motion to approve commencing with approval of the following vacated positions: Road and Bridge, Heavy Equipment Operator 1. Commissioner Williams seconded the motion. All in favor. The motion passed.

BOCC – Asia Williams

- 1) Action Item: Discussion/Decision Regarding Zoom Disclaimer Review & Zoom Reinstatement Post Disclaimer Review

Discussed the three issues surrounding Zoom. Presented a zoom disclaimer to the public, also sent to legal and received and read a response from Attorney Bill Wilson. Read operations ordinances as part of her presentation. Stated that utilizing YouTube actually limits participation.

Commissioner Williams made a motion to reinstate zoom. Commissioner Omodt made a request to amend the agenda. Commissioner Williams denied the amendment. The motion died. Commissioner Bradshaw explained that this is a business meeting and we are here to conduct county business and that public comment is not a right, not guaranteed. Spoke about being productive and positive. Commissioner Williams requested that we take a five minute recess so that Commissioner Omodt could review Bill Wilsons email (legal review of disclaimer).

- 2) Action Item: Discussion/Decision Regarding Increase in the Number of Community Volunteers on the Planning Commission

Commissioner Williams inquired about increasing the number of volunteers on the planning commission. Commissioner Omodt inquired as to what her vision is as far as numbers. Commissioner Omodt spoke regarding a

training session he attended in Boise where he learned that boards can be extremely litigious. Commissioner Williams stated that she is trying to increase public participation. Commissioner Omodt made a motion to schedule a workshop regarding this item, with the appropriate parties. Commissioner Bradshaw stepped down from the Chair and seconded the motion. There were several public comments. A discussion was had regarding the possibility of a subcommittee, or another type of planning committee. Roll call vote: Commissioner Bradshaw – Yes, Commissioner Omodt – Yes, Commissioner Williams – No. The motion passes.

BOCC – Luke Omodt

1) Action Item: Discussion/Decision Regarding Board Training

Commissioner Omodt spoke regarding a standardized process for all boards under the authority of the county. Commissioner Omodt stated that he had worked with Davillier Law to develop a training. Commissioner Omodt asked Mauricio Cardona to present the training plan he developed. Commissioner Williams asked if a presentation with an outside attorney was placed on the agenda. There was a discussion regarding Commissioner Omodt's request. Commissioner Omodt stated that he had not discussed this with the other commissioners because he is trying to avoid an open meeting law violation, he stated that he wishes for the board to make this decision together. Mauricio Cardona stated that he has not charged the county to draft this proposal. Mr. Cardona presented his draft training. Commissioner Williams stated that it is the obligation of the Board members to know how to run these meetings, stated that she perceived this as an attempt to circumvent the elected prosecutor. Commissioner Omodt made a motion to engage Davillier Law in the designing and provision of training program and limit potential liabilities. Commissioner Bradshaw stepped down from the Chair and second the motion. Roll call vote: Commissioner Bradshaw – aye, Commissioner Omodt – aye, Commissioner Williams – no. Motion passed.

2) Action Item: Discussion/Decision Regarding Organization of BOCC Business Meeting

Commissioner Omodt entertained the idea of moving the ES's to the front of the meeting, for example 9-10 a.m. Then continuing with ES's after the open portion of the business meeting. Commissioner Williams made a motion to amend to allow to give public comment their due time to speak. Commissioner Williams clarified her response to Commissioner Omodt.

3) Discussion Regarding Height Limits on Construction in Bonner County - REMOVED

4) Discussion Regarding RV Parks, Code Amendment - REMOVED

5) Discussion Regarding Bonner County Website, Customer Service

No Motion, Discussion Only

Commissioner Omodt spoke in regards to the user interface on the website. Asked Technology Director Jacob Storms to discuss the current website. Mr. Storms stated they are currently doing research in regards to the counties website to better serve Bonner County. Commissioner Williams requested that a workshop with the public is held to get the public input. Commissioner Bradshaw commented on the complexity of the website. A member of the public spoke regarding the possibility of a donation for work on the website. Mr. Storms spoke regarding the website and the work that the tech department has been doing with departments for better customer service. Jennifer Eckstrom spoke regarding a possible approach to a new website. Bret Rousch spoke in favor of the workshop. Trish Bowling spoke in regards to contacting a college to possibly see if a student or class could design the website for free. Mr. Storms responded by saying that he had that in mind.

The meeting recessed at 10:56 a.m.

The meeting reconvened at 11:17

EXECUTIVE SESSION – Technology

1) Executive Session under Idaho Code § 74-206 (1) (D) Records Exempt

Action Item: Discussion/Decision Regarding Security Assessment of IT Infrastructure

At 11:17 a.m. Commissioner Williams made a motion to go into Executive Session under Idaho Code § 74-206 (1) (D) Records Exempt. Commissioner Omodt seconded the motion. Roll call vote: Commissioner Omodt – Aye, Commissioner Williams – Aye, Commissioner Bradshaw – aye.

The meeting reconvened at 11:45 a.m

Commissioner Omodt made a motion to table item #3 ES Personnel until February 21, 2023. Commissioner Williams seconded the motion. All in favor. The motion passed.

EXECUTIVE SESSION – Risk Management

1) Executive Session under Idaho Code § 74-206 (1) (D) Records Exempt

Action Item: Discussion/Decision Regarding Bonner County Liability Insurance

At 11:45 a.m. Commissioner Williams made a motion to go into Executive Session under Idaho Code § 74-206 (1) (D) Records Exempt. Commissioner Williams seconded the motion. Roll call vote: Commissioner Omodt – Aye, Commissioner Williams – Aye, Commissioner Bradshaw – aye.

The meeting was reconvened at 12:16 p.m.

Commissioner Williams made a motion to proceed as directed in ES. Commissioner Bradshaw stepped down from the Chair and seconded the motion. Roll Call Vote: Commissioner Williams – yes, Commissioner Bradshaw – yes. Motion passed.

Commissioner Williams made a motion to invite ICRMP to give Bonner County a quote. Commissioner Bradshaw stepped down from the Chair and seconded the motion. Roll Call Vote: Commissioner Williams – yes, Commissioner Bradshaw – yes. Motion passed.

Commissioner Williams made a motion that Risk Management pay 100% of the dock damage incurred by Bonner County. Commissioner Bradshaw stepped down from the Chair and seconded the motion. Roll Call Vote: Commissioner Williams – yes, Commissioner Bradshaw – yes. Motion passed.

Commissioner Williams made a motion to pay 100% of the sheriff radio claim. Commissioner Bradshaw stepped down from the Chair and seconded the motion. Roll Call Vote: Commissioner Williams – yes, Commissioner Bradshaw – yes. Motion passed.

Commissioner Williams made a motion that risk pay 50% of the cost of the damage incurred to a garage door by an ambulance. Commissioner Bradshaw stepped down from the Chair and seconded the motion. Roll Call Vote: Commissioner Williams – yes, Commissioner Bradshaw – yes. Motion passed.

Commissioner Williams made a motion to pay 100% of the damage Road & Bridge incurred during snow removal. Commissioner Bradshaw stepped down from the Chair and seconded the motion. Roll Call Vote: Commissioner Williams – yes, Commissioner Bradshaw – yes. Motion passed.

EXECUTIVE SESSION – BOCC

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

Action Item: Discussion/Decision Regarding Bonner County Human Resources

This item was tabled until 2/21/23

The meeting was recessed at 12:22a.m.
The meeting was reconvened at 12:22 a.m.

Commissioner Bradshaw adjourned the meeting at 12:22 a.m.

The following is a summary of the Board of County Commissioners
Special Meetings, (including Tax Cancellations, Assistance Meetings/Admin and other) Executive Sessions,
Emergency Meetings and Hearings held during the week of February 7, 2023 – February 13, 2023
Copies of the complete meeting minutes are available upon request.

On Tuesday, February 7, 2023, A Human Resources Workshop was held pursuant to Idaho Code §74-204 (2).

On Wednesday, February 8, 2023, Tax Cancellations were held pursuant to Idaho Code §74-204 (2). The Following Files were Discussed and Continued: RP54N04W100910, RP54N04W100901, RPR00000252999A and RP56N01W224498. The following file was discussed and passed: RP0004400A012A. The following files were discussed and denied: RPS37320000140 and RP003710000030.

On Wednesday, February 8, 2023, a Planning Hearing was held pursuant to Idaho Code §74-204 (2). Commissioner Omodt made a motion to affirm the staff's administrative decision to deny this project FILE VA0022-22, requesting for a 17.5-foot street setback where 25 feet is required and a 28-foot shoreline setback where 40 feet is required. The .262 Acres property is zoned Recreation (Rec). The property is located off Garfield Bay Road in Section 22, Township 56N, Range 01W, Boise-Meridian, Bonner County Idaho, finding that it is in accord with the 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 Memo (or as amended during this hearing) and direct planning staff to draft written findings and conclusions to reflect this motion and transmit to all interested parties. The action that could be taken to obtain the variance is to complete the Conditions of Approval as adopted. 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 – Nay. The motion passed. Commissioner Omodt made a motion to affirm the staff's administrative decision to deny this project FILE VA0023-22, requesting for a 17.5-foot street setback where 25 feet is required and a 28.08-foot shoreline setback where 40 feet is required and 40% impervious surface coverage where 35% is allowed to construct a single family dwelling. The .352-Acres property is zoned Recreation (Rec). The property is located off Garfield Bay Road in Section 22, Township 56N, Range 01W, Boise-Meridian, Bonner County Idaho, finding that it is in accord with the 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 Memo (or as amended during this hearing) and direct planning staff to draft written findings and conclusions to reflect this motion and transmit to all interested parties. The action that could be taken to obtain the variance is to complete the Conditions of Approval as adopted. 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 – Nay. The motion passed. Commissioner Omodt made a motion to affirm the staff's administrative decision to deny this project FILE VA0024-22, requesting a 28-foot shoreline setback where 40 feet is required and 45% impervious surface coverage where 35% is allowed to construct a single family dwelling. The 0.364-acre property is zoned Recreation (Rec). The property is located off Garfield Bay Road in Section 22, Township 56N, Range 01W, Boise-Meridian, Bonner

County Idaho, finding that it is in accord with the 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 Memo (or as amended during this hearing) and direct planning staff to draft written findings and conclusions to reflect this motion and transmit to all interested parties. The action that could be taken to obtain the variance is to complete the Conditions of Approval as adopted. 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 – Nay. The motion passed. Commissioner Omodt made a motion to affirm the staff's administrative decision to deny this project FILE VA0025-22, requesting a 28-foot shoreline setback where 40 feet is required and 45% impervious surface coverage where 35% is allowed to construct a single family dwelling. The 0.527-acre property is zoned Recreation (Rec). The property is located off Garfield Bay Road in Section 22, Township 56N, Range 01W, Boise-Meridian, Bonner County Idaho, finding that it is in accord with the 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 Memo (or as amended during this hearing) and direct planning staff to draft written findings and conclusions to reflect this motion and transmit to all interested parties. The action that could be taken to obtain the variance is to complete the Conditions of Approval as adopted. 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 – Nay. The motion passed. Commissioner Omodt made a motion to approve this petition, FILE #VS0003-22, to vacate Blue Diamond Road, finding that it is in accord with Idaho Code §40-203 as enumerated in the foregoing conclusions of law, and based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further move to adopt the findings of fact and conclusions of law as set forth in the Staff Report (or as amended during this meeting) and direct the planning staff to draft written findings and conclusions to reflect this motion and transmit 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 Williams seconded the motion. Roll Call Vote: Commissioner Omodt – Yes. Commissioner Williams – Yes. Commissioner Bradshaw – Aye. The motion passed. Commissioner Williams made a motion to approve resolution #2023-11 vacating Blue Diamond Road located as shown through the submitted legal description and the corresponding map exhibit. Commissioner Omodt seconded the motion. Roll Call Vote: Commissioner Omodt – Yes. Commissioner Williams – Yes. Commissioner Bradshaw – Aye. The motion passed.

On Thursday, February 9, 2023, a Planning Workshop was held pursuant to Idaho Code §74-204 (2).

On Friday, February 10, 2023, a Planning Hearing was held pursuant to Idaho Code §74-204 (2).

On Monday, February 13, 2023 a Bid Opening for Road & Bridge was held pursuant to Idaho Code §74-204 (2).

On Monday, February 13, 2023 a Road & Bridge Update was held pursuant to Idaho Code §74-204 (2).

ATTEST: Michael W. Rosedale

By 
Chairman Steve Bradshaw

By 
Deputy Clerk

Date

2/21/23