



Bonner County

Board of Commissioners

Luke Omodt

Steve Bradshaw

Asia Williams

MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

March 7, 2023 – 9:00 A.M.

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

On Tuesday, March 7, 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 Josh Williamson and the Pledge of Allegiance followed.

LHTAC Road Scholar-Road Master Presentation

Presented by Amanda LaMott – Deputy Administrator for the Local Highway Technical Assistance Counsel

ADOPT ORDER OF THE AGENDA

Commissioner Omodt made a motion to amend the agenda by adding an Executive Session under Idaho Code 74-206 Hiring, Reappointment of Member of the Bonner County Fairboard to provide a quorum for March meeting, as approved by legal, Commissioner Williams seconded the motion. All in favor. The motion passed.

Commissioner Williams made a motion to amend the agenda by removing BOCC Commissioner Omodt's Item #3 Regarding the Scope of Work Related to the Fairgrounds Boundary Line Adjustment over concerns regarding prematurity and noticing. Commissioner Omodt seconded the motion. Roll call vote: Commissioner Omodt – Nay, Commissioner Williams – Aye, Commissioner Bradshaw – Nay. Motion failed.

Commissioner Omodt made a motion to adopt the order of the agenda as amended. Commissioner Williams seconded the motion. Commissioners Omodt and Bradshaw approved, Commissioner Williams denied. 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.

PUBLIC COMMENT – Limited to 12 Minutes

Darla Fletcher – Spoke requesting the removal of Glen Bailey from the PHD Board, discussed her reasoning surrounding the pandemic and his role on the PHD Board. Stated that Glen Bailey is against HBI60.

Sheriff Daryl Wheeler – Spoke in regards to Commissioner Omodt's Item #3, stated that himself and several other elected and justice staff are opposed to this action item. Discussed historical and current issues surrounding this issue. Stated that this property cannot be taken back once given. Also discussed proof of public comment for the grant application submitted by the Fair Director at the time. Stated that the Fairboard has no authority to have signed or issued a lot line adjustment.

Kristina L. Nicholas Anderson spoke regarding the Fairboard members and their expiration and reinstatement OR new members and initial reinstatement.

Monica Gunter spoke in regards to the campgrounds at the fairgrounds, stated that she cannot conceive taking property away from the SO to build up the fairgrounds campground.

Dan Rose spoke without being recognized by the Chair.

CONSENT AGENDA – Action Item

- 1) Bonner County Commissioners’ Minutes for February 28, 2023
- 2) Invoice Over \$5K: Facilities, Sheriff (2)
- 3) Plats for Approval: Wild Goose Terrace File #MLD0054-22, Moore Acres File #MLD0107-22, Millie’s Development File #MLD0112-22

Commissioner Omodt made a motion to approve the consent agenda as presented. Commissioner Bradshaw stepped down from the Chair and seconded the motion. All in favor. The motion passed.

CLERK – Michael Rosedale

- 1) Action Item: Discussion/Decision Regarding FY23 Claims Batch #11 \$420,901.87 & Demands in Batch #11 \$263,674.46; **Totaling \$684,576.33**

Claims Batch #11	
General Fund	\$ 99,416.26
Road & Bridge	\$ 97,637.25
Airport	\$ 6,281.56
Elections	\$ 1,345.67
Drug Court	\$ 252.45
District Court	\$ 2,312.74
911 Fund	\$ 8,359.88
Court Interlock	\$ 190.00
Indigent and Charity	\$ 2,250.33
Junior College Tuition	\$ 1,000.00
Revaluation	\$ 1,354.62
Solid Waste	\$ 99,008.59
Tort	\$ 7,961.94
Weeds	\$ 103.22
Parks & Recreation	\$ 332.74
Justice Fund	\$ 80,343.32
Priest Lake Snowmobile	\$ 877.29
East Bonner Snowmobile	\$ 43.97
Waterways	\$ 624.62
Grants	\$ 11,205.42
Total	\$ 420,901.87

Claims Batch #11	
Demands	\$ 263,674.46

Commissioner Williams made a motion to approve payment of the FY23 Claims and Demands in Batch #11 Totaling \$684,576.33. Commissioner Omodt seconded the motion. All in favor. The motion passed.

- 2) Action Item: Discussion/Decision Regarding FY23 EMS Claims Batch #11 \$14,652.36; **Totaling \$14,652.36**

EMS Claims Batch #11	
Ambulance District	\$ 14,652.36

Commissioner Omodt made a motion to approve payment of the FY23 EMS Claims in Batch #11 Totaling \$14,652.36. Commissioner Williams seconded the motion. All in favor. The motion passed.

JUSTICE SERVICES – Ron Stultz

1) Action Item: Discussion/Decision Regarding Unanticipated Revenue, Lottery Tax; **Resolution** Commissioner Williams made a motion to approve Resolution #2023-17 ordering the Clerk to schedule revenue in the Probation Services FY22-23 budget, in Account No. 006-00661-7430 – Repairs & Maintenance Buildings/Fixtures/Grounds by \$3,945.02 from \$58,655.00 to \$62,600.02. This adjustment is due to the receipt of unanticipated Lottery Tax revenue received from the State of Idaho. Commissioner Omodt seconded the motion. All in favor. The motion passed.

2) Action Item: Discussion/Decision Regarding Unanticipated Revenue, Detention Contracts; **Resolution** Commissioner Omodt made a motion to approve Resolution #2023-18 ordering the Clerk to schedule revenue in the Juvenile Detention FY22-23 budget, Revenue Account No. 034-03475-4990 – Juvenile Detention Billing for use as additional funding for Juvenile Detention FY22-23 Budget, Account No. 034-03475-6110 – Overtime in the amount of \$5,000.00 and for use as additional funding for Juvenile Detention FY22-23 Budget Account No. 034-03475-7430 – Repairs & Maintenance Buildings/Fixtures/Grounds in the amount of \$30,892.78. This adjustment is due to the receipt of unanticipated revenue received from contracts for housing juvenile offenders in the Bonner County Juvenile Detention Center. Commissioner Williams seconded the motion. All in favor. The motion passed.

ROAD & BRIDGE – Jason Topp

1) Action Item: Discussion/Decision Regarding Advertisement, Procurement of Magnesium Chloride Commissioner Williams made a motion to approve this Notice of Advertisement for the 2023 Magnesium Chloride Bid. Commissioner Omodt seconded the motion. All in favor. The motion passed.

HUMAN RESOURCES – Cindy Binkerd

1) Action Item: Discussion/Decision Regarding Request to Recruit, Four Positions Commissioner Omodt made a motion to approve commencing with approval of the following vacated positions: Assistant Manager and Heavy Equipment Operator, Road and Bridge; Detention Officer II, Justice Services; Administrative Assistant, Solid Waste effective March 7, 2023. Commissioner Williams seconded the motion. All in favor. The motion passed.

AIRPORT – Dave Schuck

1) Action Item: Discussion/Decision Regarding Priest River Airport, Lease Shelter #5 Commissioner Williams made a motion to enter into this lease for shelter #5 at Priest River Airport. Commissioner Omodt seconded the motion. All in favor. The motion passed.

2) Action Item: Discussion/Decision Regarding Priest River Airport, Lease Shelter #7 Commissioner Omodt made a motion to enter into this lease for shelter #7 at Priest River Airport. Commissioner Williams seconded the motion. All in favor. The motion passed.

SHERIFF – Daryl Wheeler

1) Action Item: Discussion/Decision Regarding Jail, Canon Printer Contract

Commissioner Williams made a motion to accept and approve this contract. I further move for the Chairman to sign the agreement document administratively. Commissioner Omodt seconded the motion. All in favor. The motion passed.

BOCC – Commissioner Asia Williams

1) Action Item: Discussion/Decision Regarding RV Code Amendment

Dave Bowman gave a presentation regarding this code, to disallow RV parks in rural areas. Stated that moving this amendment forward is the right thing to do as RV parks belong in areas with Urban Services. Commissioner Williams spoke regarding growth in our county, and the impacts RV parks can have on a rural area. Commissioner Omodt spoke regarding process and housing.

Matt Linscott spoke in regards to the current code regarding RV parks, conditions placed on such, and LLUPA rules placed on such. Also spoke/read recommendations from BEC Consulting.

Commissioner Bradshaw called point of question to recognize Bill Wilson

Commissioner Williams made a motion to direct planning staff to initiate the process on this item and present to planning commission to remove RV parks in rural areas. Commissioner Omodt seconded the motion. All in favor, the motion passed.

2) Action Item: Discussion/Decision Regarding Human Resources Open Meeting

Commissioner Williams gave additional information on Kara Heikella and spoke about best practices and policies and procedures. Stated that the Prosecutor's Office stated that it was reasonable and appropriate for Kara to consult on these items. Stated that she did not request policies to be updated. This issue was brought up at a previous business meeting. Discussed policy change procedures. Requested the Board revisit the tabled policies. Addressed the recurring Executive Session on Human Resources and the lack of transparency.

Commissioner Omodt responded by stating that the policy and procedure manual is adopted by the BOCC, stated his understanding is that the BOCC is client in this relationship, asked for Bill Wilson's input, Bill responded that within this process the BOCC is the client. Commissioner Omodt also stated that it is normal to discuss with stakeholders and to be aware when an attorney is required to complete the task. Commissioner Williams responded by saying that the expertise lies with the Human Resources Director. Commissioner Bradshaw requested a red lined item of the previous policies that were tabled, until then the policies will be tabled indefinitely.

3) Action Item: Discussion/Decision Regarding Monthly Commissioner Town Hall, Allowing Public to Ask Questions of the Full Board, After Regular Business Hours

Commissioner Williams asked Spencer Hutchings to present his request regarding a town hall meeting with all three Commissioners.

Commissioner Williams made a motion that the BOCC hold townhall meetings, with the entire board, monthly or bi-monthly, after regular business hours on a Friday or on a Saturday. Commissioner Omodt seconded the motion.

Roll Call Vote: Commissioner Omodt – Nay, Commissioner Williams – Aye, Commissioner Bradshaw – Nay.

Commissioner Bradshaw asked who would be paying for this meeting.

Commissioner Omodt made a motion to amend Commissioner Williams motion to send this to legal for review.

Commissioner Bradshaw seconded.

Commissioner Williams asked for clarification of who the attorney would be that would be reviewing this.

Commissioner Bradshaw stated that as the Board's attorney, Bill Wilson will review it.

Roll call vote: Commissioner Omodt – Aye, Commissioner Williams – Nay, Commissioner Bradshaw – Aye.

BOCC – Commissioner Luke Omodt

Commissioner Omodt asked the Chair if he could visit item #2 first. Commissioner Bradshaw agreed.

1) Discussion Regarding Managing County Board, Commissions and Committees Training

Commissioner Omodt presented a PowerPoint from a training presented originally by Jim McNall of ICRMP at an IAC meeting. Stated the any person selected for an advisory committee should be trained appropriately and aware of any liability that may fall upon them. Went through the PowerPoint.

2) **Action Item: Discussion/Decision Regarding Professional Services, Ford Elsaesser**
Commissioner Omodt read an emailed proposal from Ford Elsaesser. Ford Elsaesser was in attendance via zoom. Mr. Elsaesser explained his proposal. Clerk Rosedale thanked Mr. Elsaesser and stated that we have an Elected Prosecutor that does a fantastic job. Advocated for going back to ICRMP to let them handle our issues, also stated that he feels privileged information should stay in house. Commissioner Williams stated that she feels the same that our Prosecutor's Office should be handling these things. Mr. Elsaesser stated that this offer is not a reflection on the work of the Prosecutor's Office. Commissioner Omodt made a motion to engage Ford Elsaesser for 90 days or upon completion of this engagement for the purpose of providing independent legal advice. Commissioner Williams asked Louis Marshall to comment, stated the Board find necessity to hire Ford, and stated that he is in agreement that this is something that his office should be requesting. No second, motion dies.

3) **Action Item: Discussion/Decision Regarding Scope of Work Related to Fairgrounds Boundary Line Adjustment, Sewell & Associates; Not to Exceed \$25,000.00**
Commissioner Omodt explained the reasoning behind this item. Commissioner Williams stated that this item was not noticed appropriately and referenced the legal implications that were stated during the meeting that was held last Thursday March 2. Commissioner Omodt made a motion to approve additional work at the Bonner County Fairgrounds not to exceed \$25,000. Commissioner Bradshaw stepped down from the Chair and seconded the motion. Roll call vote: Commissioner Omodt – Aye, Commissioner Williams – Nay, Commissioner Bradshaw – Aye. Motion passed.

The meeting recessed at 11:54 a.m.
The meeting reconvened at 12:10 p.m.

EXECUTIVE SESSION – Road & Bridge

1) **Executive Session under Idaho Code § 74-206 (1) (C) Real Property**
Action Item: Discussion/Decision Regarding Real Property, Purchase Agreement; \$13,445.84
At 12:11 p.m. Commissioner Omodt made a motion to go into Executive Session under Idaho Code § 74-206 (1) (C) Real Property. Commissioner Williams seconded the motion. Roll call vote: Commissioner Omodt – Aye, Commissioner Williams – Aye, Commissioner Bradshaw – aye.

The meeting reconvened 12:16 a.m.

Commissioner Williams made a motion to approve this purchase agreement for Parcel #4 in the amount of \$13,445.84 for the purchase of right-of-way for Rapid Lightning Bridge #5 and to allow the Chairman to sign the agreements. Commissioner Omodt seconded the motion. All in favor. The motion passed.

EXECUTIVE SESSION – Human Resources

1) **Executive Session under Idaho Code § 74-206 (1) (A) Hiring and (B) Personnel**
Action Item: Discussion/Decision Regarding Hiring and Personnel, Prosecutor
At 12:17 a.m. Commissioner Williams made a motion to go into Executive Session under Idaho Code § 74-206 (1) (A) Hiring and (B) Personnel. Commissioner Omodt seconded the motion. Roll call vote: Commissioner Omodt – Aye, Commissioner Williams – Aye, Commissioner Bradshaw – aye.

Commissioner Omodt made a motion to proceed as directed. Commissioner Williams seconded the motion. All in favor. The motion passed.

The meeting reconvened at 12:21 a.m.

EXECUTIVE SESSION – Human Resources

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

Action Item: Discussion/Decision Regarding Approval of Tuition Reimbursements

At 12:22 a.m. Commissioner Omodt made a motion to go into Executive Session under Idaho Code § 74-206 (1) (B) Personnel. Commissioner Williams seconded the motion. Roll call vote: Commissioner Omodt – Aye, Commissioner Williams – Aye, Commissioner Bradshaw – aye.

Commissioner Omodt made a motion to approve the tuition reimbursements, upon successful completion of programs. Commissioner Williams seconded the motion. Roll Call Vote: Commissioner Omodt – Aye, Commissioner Williams – Aye, Commissioner Bradshaw – Aye.

The meeting reconvened at 12:56 a.m.

EXECUTIVE SESSION – BOCC

1) Executive Session under Idaho Code § 74-206 (1) (B) Personnel – **NOT HELD**

EXECUTIVE SESSION – ADD – Fairboard Appointment Discussion

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

Action Item: Discussion/Decision Regarding Hiring

At 12:58 a.m. Commissioner Williams made a motion to go into Executive Session under Idaho Code § 74-206 (1) (A) Hiring and (B) Personnel. Commissioner Omodt seconded the motion. Roll call vote: Commissioner Omodt – Aye, Commissioner Williams – Aye, Commissioner Bradshaw – aye.

Commissioner Omodt made a motion to reappoint Jody Russell to the Fairboard for a term of four years. Commissioner Williams made a motion to amend the motion to reappoint Jody Russell, temporarily, until March 31, 2023, to be ratified on March 14, 2023. Commissioner Omodt seconded the motion. All in favor the motion passed.

Commissioner Bradshaw adjourned the meeting at 1:12 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 February 28, 2023 – March 6, 2023
Copies of the complete meeting minutes are available upon request.

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

On Thursday, March 2, 2023, a Special Meeting regarding IDPR Grant Award - Fairgrounds was held pursuant to Idaho Code §74-204 (2).

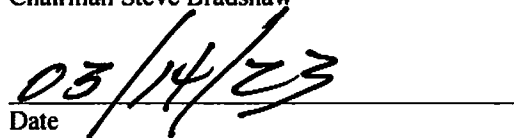
On Monday, March 6, 2023, a Department Head Meeting was held pursuant to Idaho Code §74-204 (2).

On Monday, March 6, 2023, an Insurance Update was held pursuant to Idaho Code §74-204 (2).

ATTEST: Michael W. Rosedale

By 
Chairman Steve Bradshaw

Date



By 
Deputy Clerk

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