



Bonner County

Board of Commissioners

Luke Omodt

Steve Bradshaw

Asia Williams

MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

September 12, 2023 – 9:00 A.M.

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

On Tuesday, September 12, 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 Clerk Michael Rosedale and the Pledge of Allegiance followed. Commissioner Bradshaw invited Commissioner Omodt to Chair the meeting.

PUBLIC COMMENT

- Trisha Bowlin – Is there a code of conduct for board members regarding social media, if so, what are they? Also, about a year ago, Chris Kingsland was removed from a board due to social media. Please add to the agenda, as well as employee comments on social media.
- Susanne Glasow – Submitting two business matters for roads. Compliments to Jason Topp.

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

DISTRICT 1 REPORT – Commissioner Bradshaw has nothing at this time.

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

- Diane Welling – Sergeant at Arms puts the County and the individual acting as Sergeant at Arms at risk.
- Shari Dovale – Asked about Sauter attending the Town Hall he was invited to.
- George Gehrig – Thank you for the option to comment publicly. Public comment is for the public to give their opinion. Please add to agenda and see if Bonner County is the only County where the majority of commissioners refuse public comment.
- Diane Welling – Is there an AED in this building, if so, where is it located? Risk Manager, Christian Jostlein answered.
- Spencer Hutchings – Wanted to clarify his conversation with the Sergeant at Arms last week. He understands that it is the Sergeant at Arms duty to not follow illegal orders when asked to do something illegal/illegal orders.
- Kristina Nichols-Anderson – Regarding the uniformed officer in the room during meetings, what is he here for, is it for the protection of Commissioner Williams? Commissioner Williams answered yes. Ms. Nichols-Anderson asked if the officer is always with Commissioner Williams, she has never heard of a victim of domestic violence having an officer assigned to them due to having a restraining order.
- Trisha Bowlin – Please in the future let citizens know who the Chair is prior to the meeting.

- Monica Gunter – Talking during the first hour of the meeting, believes that Commissioner Omodt owes an apology to Ms. Bowlin.

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

Commissioner Omodt recessed the meeting for 5 minutes at 9:44 a.m.

Meeting was reconvened at 9:49 a.m.

CONSENT AGENDA – Action Item

- 1) Bonner County Commissioners’ Minutes for September 5, 2023
 - 2) Catering Permit: Barrel 33, Sandpoint, ID; Ardy’s Café, Coolin, ID
 - 3) Invoices over \$5k: Sheriff (3-2 Confidential); Road & Bridge; District Court
- Commissioner Bradshaw and made a motion to approve the consent agenda as presented. Commissioner Williams seconded the motion to advance for discussion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Abstain, Commissioner Bradshaw – Yes. The motion passed.

EXTENSION OFFICE – Jennifer Jensen

- 1) Action Item: Discussion/Decision Regarding County Extension Budget Agreement
- Commissioner Bradshaw made a motion to approve the University of Idaho Cooperative Agreement for University of Idaho Extension Programs and allow the Chairman to sign. Commissioner Williams seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. The motion passed.

ROAD & BRIDGE –Matt Mulder

- 1) Action Item: Discussion/Decision Regarding Purchase of a 2023 Cat 305 Mini Excavator; **\$88,854.23**
- Commissioner Williams made a motion to approve the purchase of the 305 Mini Excavator SN: 5G503651 from Western States Cat Utilizing the governmental Soursewell contract for the sum of \$88,854.23. Commissioner Bradshaw seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. The motion passed.

- 2) Action Item: Discussion/Decision Regarding Adoption of Official County Highway Map
- Commissioner Bradshaw made a motion to adopt the Bonner County Official Highway Map as presented at today’s Public Hearing. I also move to authorize the Chairman to sign the Adoption Block of said map declaring this the official highway map of Bonner County. Commissioner Williams seconded the motion.

PUBLIC COMMENT:

- Dan Welling- Will the public see the map prior to the vote.

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

- 3) Action Item: Discussion/Decision Regarding PSA with Ruen Yeager for LHSIP Project; ROW Clearing and Brushing

Commissioner Williams made a motion to approve the professional services agreement #96686 with Ruen Yeager & Associates, Inc. for a not to exceed amount of \$101,761.00 Commissioner Bradshaw seconded the motion.

PUBLIC COMMENT:

- Susanne Glasow – Removal of brush from a road not listed.

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

WEEDS – Chase Youngdahl

- 1) Action Item: Discussion/Decision Regarding Facilities Use Agreement with University of Idaho
- Commissioner Bradshaw made a motion to approve the University of Idaho’s facilities use agreement for the

Sandpoint Organic Agriculture Center, valid for the date of October 4, 2023. Commissioner Williams seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. The motion passed.

PLANNING – Jake Gabell

1) Action Item: Discussion/Decision Regarding Project ST0008-21; Phase 1 Partial Release of Surety
Commissioner Williams made a motion to approve the partial release of surety for Phase 1, amounting to \$515,700 for the completion of Phase 1 improvements for Project ST000-8-21 in accordance with the terms of the surety agreement for the project. Commissioner Bradshaw seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. The motion passed.

2) Action Item: Discussion/Decision Regarding Short Term Rental Software Purchase; Deckard Technologies
Commissioner Bradshaw made a motion to approve that the County approve the Master Professional Services Agreement with Deckard Technologies. Commissioner Williams seconded the motion to advance for discussion.

PUBLIC COMMENT:

- Shari Dovale – Collecting a lot of information with this, will this information be shared with other agencies/companies? Commissioner Omodt answered that the information collected will be collected from public sites, where property owners have submitted their own information.
- Trisha Bowlin – Asked how the information will be collected. Commissioner Omodt and Bradshaw, and Planning Director Jake Gabell explained that Deckard will pull information from Airbnb and other short term rental websites. Asked if there were other options looked at. Jake Gabell answered.
- Amy Lunsford – This software will only track vacation rentals for those who have not applied for a permit, or will this also implement additional charges to those who have rental permits. Commissioner Omodt responded that this will be for compliance with existing ordinance and fee structure. How many complaints are there due to vacation rentals? Jake Gabell responded these complaints typically are from high density and lakefront areas. Parking complaints were also addressed. Opinion that this may villainize those who use their property as short term rentals.
- Mike Rosedale – Clarification that this is just for rentals and not permanent homes.
- John DuPree – Various Airbnb’s in his neighborhood, concerns about these rentals and the visitors lack of courtesy. Jake Gabell advised that there will be a service to call in complaints at these vacation rentals.
- Trisha Bowlin – Why do these rentals get special treatment if they have a complaint when normal citizens need to contact local law enforcement. Commissioner Omodt advised this is not to take rights, it is to protect private property rights of property owners of long-term residents.
- Shari Dovale – Waiting for an apology.

Discussion and response to concerns of the public by the Board. Roll call vote: Commissioner Omodt – Yes,

Commissioner Omodt recessed the meeting for 15 minutes at 10:44 a.m.

Meeting was reconvened at 10:59 a.m.

Commissioner Omodt pointed out that the Technology department budget is available within the existing budget and that this item is appropriate for Technology. Brief discussion with the Board and Clerk Rosedale regarding budget. Commissioner Bradshaw called for question in point.

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

PROSECUTOR – Louis Marshall

1) Action Item: Discussion/Decision Regarding Unanticipated Revenue for VAST; **Resolution**
Commissioner Williams made a motion to approve Resolution #2023-69 authorizing the receipt of unanticipated

revenue in the total amount of \$3687.00 for use by VAST in furtherance of its mission to support victims of violence in Bonner County. Commissioner Bradshaw seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. The motion passed.

SHERIFF – Daryl Wheeler

Requested to address the reason that Lt. Riffel is present at the meetings. He believes there is a misrepresentation of restraining orders and how they work, how they are different, and how they differ from a civil protection order. Sandpoint Police Department has said they will not participate in this situation, so the Sheriff's Office has stepped in. Commissioner Omodt asked Sheriff Wheeler why this is being done and who requested this as it is not in the order. Sheriff Wheeler advised that Commissioner Williams requested this level of protection at this time. Commissioner Williams said she has requested this because of a threat by someone else and she will not continue to deal with this.

1) Action Item: Discussion/Decision Regarding Kootenai Tribe of Idaho Inmate Housing Agreement
Commissioner Bradshaw made a motion to approve the Adult Detention Agreement between the Kootenai Tribe of Idaho and Bonner County to house male and female inmates at the Bonner County detention facility. The Tribe will reimburse Bonner County \$90 per day per inmate with the agreement being effective from date of execution until November 30, 2024. 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 Medical Services Contract with Troy W. Geyman, M.D.
Commissioner Williams made a motion to approve the Medical Services Contract between Troy W. Geyman, M.D. and the Bonner County Sheriff's Office. The amount of this contract will not exceed \$51,400 annually and is effective from September 30, 2023 to September 30, 2024. This agreement may be terminated by either party with 30 days' written notice. This contract is identical to the previous contract, except dates, an additional \$100 per year for malpractice, and an additional \$150 per month for 24/7 on-call coverage. Commissioner Bradshaw seconded the motion.

PUBLIC COMMENT:

- Shari Dovale – Question regarding the open nursing position, wage, hours, licensing requirements?
- Diane Houks – How much will the new inmates cost. Prior item.

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

BOCC – Asia Williams

1) Action Item: Discussion/Action/Decision Regarding Placing HR Back Under the Prosecutor
Commissioner Williams made a motion to return Human Resources and Risk under the Prosecutor's Office at this time. No second, motion dies.

Commissioner Omodt recessed the meeting for 10 minutes at 11:22 a.m.

Meeting was reconvened at 11:32 a.m.

BOCC – Luke Omodt

1) Action Item: Discussion/Action/Decision Regarding Roberts Rules of Order Reconsideration
Commissioner Bradshaw made a motion to implement new by-law for the current BOCC that motions of reconsideration may only be placed on the business meeting agenda after three months or a majority vote. Commissioner Williams seconded the motion to advance for discussion.

PUBLIC COMMENT:

- Spencer Hutchings – Curious why there is effort to silence the public and a single member of the board.
- John DuPree – Coming to the meetings to learn and the first issue was public participation with Zoom. Recalls that this issue was 2 – 1 repeatedly until the vote finally changed. Appreciates the fact that

Commissioner Bradshaw was able to participate via Zoom because of this. Important that citizens have input, and all must respect one another and follow the rules. Deliberation is important as is respect.

- Trisha Bowlin – Don't the documents for an agenda need to be placed in the agenda within 24 hours. Believes they are trying to silence others.
- Dimitri Borisov – Began attending meetings consistently in January and recalls that items were brought back for reconsiderations. The reconsiderations provide time for gathering more information to vote. Unsure why want to limit others.

Discussion among the board. Commissioner Bradshaw called for question in point. Prosecutor Marshall advised that they do not have to have legal review, however they do not have the ability to silence a commissioner or other elected official by using the agenda.

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

Commissioner Omodt recessed the meeting for 10 minutes at 11:53

Meeting was reconvened at 12:04 p.m.

EXECUTIVE SESSION – Prosecutor

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

At 12:04 p.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 – Absent, Commissioner Bradshaw – Yes. The motion passed.

Commissioner Omodt reconvened the meeting at 12:54 p.m.

Commissioner Omodt adjourned the meeting at 12:54 p.m.

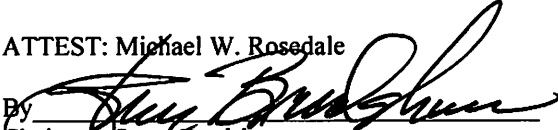
The following is a summary of the Board of County Commissioners
Special Meetings, (including Tax Cancellations, Assistance Meetings/Admin and other) Executive Sessions,
Emergency Meetings and Hearings held during the week of September 5, 2023 – September 11, 2023
Copies of the complete meeting minutes are available upon request.

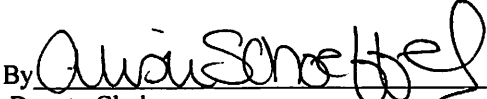
On Wednesday, September 6, 2023, Tax Cancellations were held pursuant to Idaho Code §74-204 (2). Approved: RP0237300007C0; RP56N04W078105

On Thursday, September 7, 2023, a Bid Opening for Solid Waste was held pursuant to Idaho Code §74-204 (2). Commissioner Williams made a motion to turn these bids over to Solid Waste for analysis and recommendation. Commissioner Bradshaw seconded the motion. Commissioner Williams – Aye, Commissioner Omodt – Aye, Commissioner Bradshaw – Aye. All in favor. The motion passed.

On Thursday, September 7, 2023, an Election Canvass was held pursuant to Idaho Code §74-204 (2). Commissioner Williams made a motion to accept the Bonner County election canvass from the August 29, 2023 Election. Commissioner Bradshaw seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. The motion passed.

On Thursday, September 7, 2023, a Planning Update was held pursuant to Idaho Code §74-204 (2).

ATTEST: Michael W. Rosedale
By 
Chairman Steve Bradshaw

By 
Deputy Clerk

09-19-23
Date