



# Bonner County

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## Board of Commissioners

Luke Omodt

Steve Bradshaw

Asia Williams

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

October 10, 2023 – 9:00 A.M.

Bonner County Administration Building

1500 Hwy 2, Suite 338, Sandpoint, ID

On Tuesday, October 10, 2023, the Bonner County Commissioners met for their regularly scheduled meeting with Commissioners Omodt and Williams present. Commissioner Omodt called the meeting to order at 9:00 a.m. The Invocation was presented by Pastor Ken Lawrence and the Pledge of Allegiance followed.

#### PUBLIC COMMENT

- Kevin Moore: Appreciate Pastor Lawrence, we live in a melting pot; hoping that the laws of the land are wanted to be followed, particularly by the people who have been voted into office. Wanting local people in office who have sworn in to want to uphold the laws of the County and State, specifically a County ordinance regarding water. In particular Cocolalla Creek is being abused per law, and this needs to be remedied.
- Wayne Martin: Read an excerpt of letter from the Idaho Republican Party. A lot of concern among citizens, and a lot of negative comments. Hoping that all elected officials and citizens can work together without negativity.
- Amy Lunsford: Has Mr. Bradshaw received anything from the AG regarding Darcey Smith? Attending other board meetings, how many IT teams are in the County as she has heard conflicting? Some feel they are “stuck” under the Sheriff’s IT and others are free to choose. Discussion from the board followed.
- Reg Crawford: Regarding MLDs on the Consent Agenda. Approving MLDs on the CA denies potential petitioners the right to hear. Does not understand why the County continues this process in violation of ILLUPA. Discussion from the board followed.
- Kevin Moore: Where does the County stand on the Vrbeta lawsuit; is it done, final cost, if able to say? Discussion from Commissioner Omodt followed.
- Dave Bowman: Why did Reg Crawford not get an answer to her question regarding MLDs? Discussion from the board followed.
- George Gehrig: Project 7B posted “Until 2016 Bonner County followed the same rules for land division as the rest of the state.” How many other counties have created this carveout for MLDs? Why did Bonner County change this in 2016.
- Trisha Bowlin: Are there changes still being made to the website? Discussion from the board followed.
- Reg Crawford: Would like to mention that a judge overturned MLD decision and the county is out of ILLUPA code.

#### ADOPT ORDER OF THE AGENDA AS AMENDED

Commissioner Omodt stepped down from the chair and moved to approve the amendment of the Agenda by adding an Executive Session under Idaho Code §74-204 (2) and Idaho Code § 74-206 (1) (C) Property Acquisition at the request of the Prosecutor’s Office. Commissioner Williams seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Absent. The motion passed. Commissioner Omodt stepped down from the chair and made a motion to adopt the order of agenda as amended.

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

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

- Kevin Moore: Reminded today is recognition of homelessness, wanted to bring this to attention.
- Monica Gunter: Loves the Commissioner Chats, appreciates them. Wondering why the other commissioners do not join in? Discussion from Commissioner Williams
- John Dupree: Compliments to Commissioner Omodt on how he is chairing the meetings. Thanks to Commissioner Williams regarding the Commissioner Chats.

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

**CONSENT AGENDA** – Action Item

- 1) Bonner County Commissioners' Minutes for October 3, 2023
- 2) Liquor Licenses: 7B Wine Club, LLC, Sandpoint, ID
- 3) Catering Permit: Timber Town Beer Company, Sandpoint, ID
- 4) Plats for Approval: MLD0149-21, Hertzberg; MLD0026-23, Steele's Homestead II
- 5) Invoices over \$5k: Technology (Confidential), Sheriff (Confidential), Public Works

Commissioner Williams stepped down from the chair and made a motion to approve the consent agenda as presented. Commissioner Omodt stepped down from the chair and seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Absent. The motion passed.

**HUMAN RESOURCES** – Alissa Clark

- 1) Action Item: Discussion/Decision Regarding PacificSource Plan Documents Update and Amendments  
Commissioner Williams made a motion to approve the amendments and document changes for PacificSource Plan 10/2022 and 10/2023. Commissioner Omodt stepped down from the chair and seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Absent. The motion passed.

**EMS** – Jeff Lindsey

- 1) Action Item: Discussion/Decision Regarding Medical Director Agreement; **\$3,780/monthly**  
Commissioner Williams made a motion to approve and sign the Medical Director Agreement between Dr. Ronald Jenkins and Bonner County EMS for the 2024 fiscal year; this contract commences October 1, 2023 and will remain effective for one year; the cost of this contract is \$45,360, which will be paid in monthly installments of \$3,780. Commissioner Omodt stepped down from the chair and seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Absent. The motion passed.
- 2) Action Item: Discussion/Decision Regarding Medical Transport Agreements; **\$13,530.83/monthly**  
Commissioner Williams made a motion to approve and sign the contracts for the provision of emergency and non-emergency medical transport services in Bonner County with Schweitzer Fire District, Clark Fork Valley Ambulance, Kootenai County, and Priest Lake EMTS commencing October 1, 2023; the total cost of these contracts will be \$139,530 for the fiscal year and will be paid in monthly installments of \$13,530.83. Commissioner Omodt stepped down from the chair and seconded the motion.

Public Comment:

- Kevin Moore: Amount agreed upon the cost, no matter how often they may be utilized. Is there no pro-rating or usage amount? Discussion from Commissioner Omodt.
- Dave Bowman: All agencies have ongoing expenses whether they are used or not, extremely reasonable for them to be paid.
- Jean: These providers are used all the time.

Commissioner Williams wanted clarification of the amount of the monthly payments.

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

3) Action Item: Discussion/Decision Regarding Medical Director and Dispatch Agreement

Commissioner Williams made a motion to approve the medical director consent and dispatch agreement for all the fire protection districts who wish to be considered collaborative agencies with Bonner County during the fiscal year of 2024. Commissioner Omodt stepped down from the chair and seconded the motion.

Public Comment:

- Wayne Martin: Question is Spirit Lake Fire not part of agreement. Discussion followed.

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

**PUBLIC DEFENDER – Luke Hagelberg**

1) Action Item: Discussion/Decision Regarding Conflict Public Defender Contract for FY2024

Commissioner Williams made a motion to approve and sign the Conflict Public Defender contract with attorney Dana Bowes for FY2024. Commissioner Omodt stepped down from the chair and seconded the motion.

Public Comment:

- Kevin Moore: Can a general amount she was used. Discussion followed.

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

2) Action Item: Discussion/Decision Regarding CASA Attorney Contract for FY2024

Commissioner Williams made a motion to approve and sign the CASA Attorney contract with attorney Margaret Williams for FY2024. Commissioner Omodt stepped down from the chair and seconded the motion.

Public Comment:

- Kevin Moore: Clarification regarding Dana Bowes, is Margaret Williams the same type of contract.

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

**TREASURER – Clorisa Koster**

1) Action Item: Discussion/Decision Regarding Approval to Pay Excess Sale Funds to Treeport Homeowner's Association and Ken Youmans per Idaho Code § 31-808

Commissioner Williams made a motion to approve payment of the excess tax sale funds in the amount of \$177,488.04 on parcel RP005650020090. We received two claims and the time for recorded parties of interest and record owners to make a claim for the overage has passed. \$1,451.19 will be paid to Treeport Homeowner's Association and \$176,036.85 will be paid to Ken Youmans. This has been reviewed and approved by legal. Commissioner Omodt stepped down from the chair and seconded the motion.

Public Comment:

- Kevin Moore: Were they taxed and overtaxed? Request clarification. Treasurer Koster explained the process for tax sales.

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

2) Action Item: Discussion/Decision Regarding Approval to Pay Excess Sale Funds to State of Idaho, Department of Health & Welfare per Idaho Code § 31-808

Commissioner Williams made a motion to approve payment for a portion of the excess tax sale funds in the amount of \$152,788.22 on parcel RP56N05W137801. We received one claim and the time for recorded parties of interest and record owners to make a claim for the overage has passed. \$6,310.45 will be paid to State of Idaho, Department of Health & Welfare, which represents the amount of their claim. This has been reviewed and approved by legal.

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

- 3) Action Item: Discussion/Decision Regarding Approval to Pay Excess Sale Funds to Clarence W. Taylor & Nancy J. Taylor per Idaho Code § 31-808

Commissioner Williams made a motion to approve payment of the excess tax sale funds in the amount of \$6,612.48 on parcel RP57N03W179990. We received two claims and the time for recorded parties of interest and record owners to make a claim for the overage has passed. \$3,306.24 will be paid to Clarence W Taylor and \$3,306.24 will be paid to Nancy J Taylor. This has been reviewed and approved by legal. Commissioner Omodt stepped down from the chair and seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Absent. The motion passed.

- 4) Action Item: Discussion/Decision Regarding Resolution Authorizing Transfer of Excess Sale Proceeds to the State Treasurer per Idaho Code § 31-808; **Resolution**

Commissioner Williams made a motion to approve **Resolution 2023-81** to transfer the excess tax sale funds as shown in Exhibit A to the State Treasurer. The time for recorded parties of interest and record owners to make a claim for the overage has passed. The State has better resources to manage the funds and locate the owners. This Resolution has been approved by legal. Commissioner Omodt stepped down from the chair and seconded the motion.

Public Comment:

- Kevin Moore: Is this a summation of all items, or is it just for item 2? Discussion followed.

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

#### **EMERGENCY MANAGEMENT - Bob Howard**

- 1) Action Item: Discussion/Decision Regarding Memorandum of Understanding with SPOT Bus  
Commissioner Williams made a motion to have Bonner County accept and sign the MOU with SPOT Bus for them to provide transportation services in times of an emergency or natural disaster. Commissioner Omodt stepped down from the chair and seconded the motion.

Public Comment:

- Kevin Moore: This is funded on an as need basis and not a contract?

- Dian Welle - In light of current events, it would behoove us to know what Emergency Management plans are for Bonner County. Discussion followed.

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

#### **AIRPORT – Dave Schuck**

- 1) Action Item: Discussion/Decision Regarding Mutual Easement Acquisition Between Bonner County and Big Toy Condos, LLC; **Resolution**

Commissioner Williams made a motion to approve **Resolution 2023-82** to acquire this easement as presented. Commissioner Omodt stepped down from the chair and seconded the motion.

Public Comment:

- Kevin Moore: Easements have been done for many years; this is just taking more trees to open more easements. Discussion followed.

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

#### **PROSECUTOR – Louis Marshall**

- 1) Action Item: Discussion/Decision Regarding Renewal of Contract for Municipal Prosecutor Legal Services with the City of Sandpoint

Commissioner Williams made a motion to approve the contract between the Bonner County Prosecutor's Office and the City of Sandpoint for the provision of municipal prosecutor legal services and authorize the Chairman to sign the agreement administratively. Commissioner Omodt stepped down from the chair and seconded the motion.

Public Comment:

- Kevin Moore: Is Sandpoint also happy with this agreement. Discussion followed.
- Dave Bowman: Clarification as to the question posed by Commissioner Omodt regarding the vote of only two board members. Discussion followed.

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

Public Comment:

- John DuPree: Announced a meet and greet in Blanchard to meet Zone 5 trustee for the school board Monday, October 16, 2023.

Commissioner Omodt recessed the meeting for 10 minutes at 10:31 a.m.

Reconvened at 10:57 a.m.

**EXECUTIVE SESSION – Prosecutor**

- 1) Executive Session under Idaho Code §74-204 (2) and Idaho Code § 74-206 (1) (C) Property Acquisition  
Action Item: Discussion Regarding Acquisition of Property – ADDED 10/06/2023, 1:00 P.M.

At 10:57 a.m. Commissioner Williams made a motion to go into Executive Session under Idaho Code § 74 206 (1)(C) Property Acquisition. Commissioner Omodt stepped down from the chair and seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Absent. The motion passed.

Commissioner Omodt reconvened the meeting at 11:24 a.m.

Commissioner Omodt adjourned the meeting at 11:24 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 3 – October 9, 2023  
Copies of the complete meeting minutes are available upon request.

On Wednesday, October 4, 2023, Tax Cancellations & Certifications were held pursuant to Idaho Code §74-204 (2). Multiple parcels. Commissioner Williams made a motion to approve the certification of the fees and delinquent taxes to the 2023 real roll as presented by the Treasurer’s Office. Commissioner Bradshaw seconded the motion. Roll call vote: Commissioner Omodt – Yes, Commissioner Williams – Yes, Commissioner Bradshaw – Yes. The motion passed.

ATTEST: Michael W. Rosedale

By  \_\_\_\_\_  
Chairman Steve Bradshaw

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

10-17-23  
Date