



Bonner County

Board of Commissioners

Luke Omodt

Steve Bradshaw

Asia Williams

MINUTES FOR THE BONNER COUNTY BOARD OF COMMISSIONERS' MEETING

May 21, 2024 – 9:00 A.M.

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

On Tuesday, May 21, 2024, the Bonner County Commissioners met for their regularly scheduled meeting with Commissioners Omodt, Williams, and Bradshaw present. Commissioner Omodt called the meeting to order at 9:01 a.m. The Invocation was presented by Pastor Chris Bassett, and the Pledge of Allegiance followed.

STANDING RULES

ADOPT ORDER OF THE AGENDA AS PRESENTED

Commissioner Williams made a motion to adopt the order of the agenda as presented. Commissioner Bradshaw seconded the motion. Roll call vote: Commissioner Williams – Yes, Commissioner Omodt – Yes, Commissioner Bradshaw – Yes. The motion carries.

CONSENT AGENDA – Action Item

- 1) Bonner County Commissioners' Minutes for May 14, 2024
- 2) Invoices Over 5K: Sheriff; Risk
- 3) Catering Permit: 219 Lounge, Sandpoint

Commissioner Bradshaw made a motion to adopt the consent agenda as presented. Commissioner Williams seconded the motion. Roll call vote: Commissioner Williams – Yes, Commissioner Omodt – Yes, Commissioner Bradshaw – Yes. The motion carries.

AIRPORT – Dave Schuck

- 1) Action Item: Discussion/Decision Regarding Re-Appointment & Appointment of Members to the Bonner County Airport Advisory Board; **Resolution**

Commissioner Bradshaw made a motion to approve Resolution #2024- 31 appointing Jeff Connolly & Gavin Gilcrease and re-appointing Jan Lee & Joe Grant to a three-year term beginning May 21, 2024, and ending May 20, 2027 on the Bonner County Airport Advisory Board. Commissioner Williams seconded the motion. Roll call vote: Commissioner Williams – Yes, Commissioner Omodt – Yes, Commissioner Bradshaw – Yes. The motion carries.

HUMAN RESOURCES– Alissa Clark

- 1) Action Item: Discussion/Decision Regarding New Copy Machine Lease Agreement

Commissioner Williams made a motion to approve the Copy Machine Lease Agreement from Canon Solutions America for a 60-month lease of a Canon imageRUNNER Advance DX C58601 for the Human Resources and Risk Management Departments for the total monthly lease payment of \$262.00. Commissioner Bradshaw seconded the motion. Roll call vote: Commissioner Williams – Yes, Commissioner Omodt – Yes, Commissioner Bradshaw – Yes. The motion carries.

2) Action Item: Discussion/Decision Regarding Grant Approved, Felony Victim Witness Coordinator
Commissioner Bradshaw made a motion to approve commencing with approval of a county covering the cost of benefits for the grant approved position effective 05/21/24. Commissioner Williams seconded the motion. Roll call vote: Commissioner Williams – Yes, Commissioner Omodt – Yes, Commissioner Bradshaw – Yes. The motion carries.

TREASURER– Clorrisa Koster

1) Action Item: Discussion/Decision Regarding Request for Increase of Petty Cash Funds; Solid Waste; **\$300.00**

Commissioner Williams made a motion to authorize the County Treasurer to transfer \$300.00 from the Treasurer's Account to the following Solid Waste Site's Petty Cash funds. Dickensheet will be increased by \$100.00, Idaho Hill will be increased by \$100.00 and Dufort will be increased by \$100.00. Commissioner Bradshaw seconded the motion. Roll call vote: Commissioner Williams – Yes, Commissioner Omodt – Yes, Commissioner Bradshaw – Yes. The motion carries.

SHERIFF, MARINE DIVISION– Doug McGeachy

1) Action Item: Discussion/Decision Regarding Contract for Temporary Moorage of Sheriff's Vessel
Commissioner Bradshaw made a motion to the agreement with Waterfront Property Management and authorize the chairman to sign the attached contract. Commissioner Williams seconded the motion. Roll call vote: Commissioner Williams – Yes, Commissioner Omodt – Yes, Commissioner Bradshaw – Yes. The motion carries.

BOCC – Commissioner Asia Williams

- 1) Action Item: Action and/or Discussion and/or Decision: Bonner County code 1-200 ordinance review of compliance with Idaho statutes and the Constitution with requested amendments and additions
Memorandum submitted, not required
- 2) Action Item: Action: Swim lessons are scheduled for 3 weeks in August Tuesdays, Wednesday, and Thursday's mornings from August 7-22. Bonner Park West shall be used as a backup plan if the Mudhole is unable to accommodate this year. Memorandum submitted.

Gayne Sears with Pend Oreille Rowing and Paddling Association discussed this request.

Commissioner Williams made a motion to allow Bonner Park West to be an alternate swim lesson site from August 7-22. Commissioner Omodt stepped down from the chair and seconded the motion to advance for discussion.

Discussion among the board. Commissioner Omodt stepped down from the chair and amended the motion to table this until hearing from Legal and Risk what is necessary to protect the County's interests. Commissioner Williams seconded the motion. Roll call vote: Commissioner Williams – Yes, Commissioner Omodt – Yes, Commissioner Bradshaw – Yes. The motion carries.

DISTRICT 2 COMMISSIONER DISCUSSION

1. Legal- Status of request that Bonner County prosecutor's office advocates for a temporary easement regarding camp bay trail
2. Attorney list with updated contracts and rates status update
3. Open Meeting Review-
 - a. Non-Compliance
 - b. Penalties
 - c. Where do we go from here?
4. Upcoming Commissioner chat guests
5. Issues brought to me from members of the community.
 - a. Water availability at the fair grounds
 - b. Army Corp will delay filling of Lake Pend Oreille due to May repairs to the Albeni Falls
 - c. Obligations of the County Clerk if the Clerk's office has an error in recording...Does the community have to Sue the county or can the office being notified of an error have the ability to fix said error

PUBLIC COMMENT * Opened at 9:53 a.m.

Kevin Moore – Commented on public participation and public comment. Not happy with culverts.

Jennifer Cramer – Discussed Ordinance 1-200 and public participation. Provided an online definition of limited public forum.

Pat Gunter – Questions about campaign sign locations and who to contact about removing them from the County ROW.

Suzanne Glasoe – Following up on emails sent regarding Planning files. Questions on International Fire Code.

Reg Crawford – Discussed MLDs and a District Court case earlier in the year.

Dave Bowman – Discussed other public comments.

Rick Cramer – Requested clarification on the 11:00 a.m. meeting regarding Albeni Dam

11:00 A.M. EXECUTIVE SESSION – Human Resources *This item was not heard.*

- 1) Executive Session under Idaho Code § 74-206 (1) (A) Hiring
Action Item: Discussion/Decision Regarding Hiring, Prosecutor’s Office

The meeting was adjourned at 10:13 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 May 14, 2024 – May 20, 2024
Copies of the complete meeting minutes are available upon request.

On Tuesday, May 14, 2024, an Executive Session was held pursuant to Idaho Code § 74-206(1) (C) Real Property.

On Tuesday, May 14, 2024, a USFS Update was held pursuant to Idaho Code §74-204 (2).

On Tuesday, May 14, 2024, a Panhandle Health District Annual Budget Review was held pursuant to Idaho Code §74-204 (2).

On Thursday, May 16, 2024, a Tax Deed Hearing was held pursuant to Idaho Code §74-204 (2). Commissioner Bradshaw made a motion that County Treasurer, Clorisa Koster presented to the Board, Affidavits of Compliance stating fulfillment of requirements of Idaho Code 63-1005 and that such delinquencies have not been paid. Therefore, the Bonner County Treasurer is hereby ordered and directed to issue a Tax Deed in favor of Bonner County to these parcels. Commissioner Williams seconded the motion. Roll call vote: Commissioner Williams – Aye, Commissioner Omodt – Aye, Commissioner Bradshaw – Aye. All in favor. The motion passed.

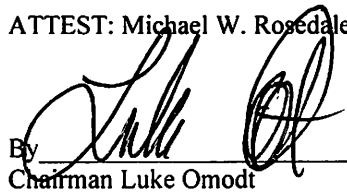
On Thursday, May 16, 2024, an Executive Session was held pursuant to Idaho Code §74-206(1)(F) Litigation & 74-206(1)(D) Records Exempt.

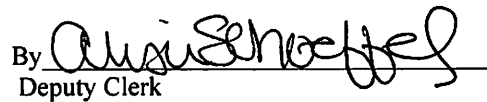
On Thursday, May 16, 2024, a Planning Hearing was held pursuant to Idaho Code §74-204 (2). Commissioner Williams made a motion to affirm the staff’s administrative decision to deny this project FILE VA0005-24, requesting a 28-foot shoreline setback where 40-feet is required, based upon the following conclusions of law: 1. Conditions apply to the property that do apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography, or other circumstances over which the applicant has no control. 2. Special conditions and circumstances do not result from the actions of the applicant. 3. The granting of the variance is in conflict with the public interest in that it will be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity of the subject parcel or lot. The decision is based upon the evidence submitted up to the time the Appeal Memo was prepared and testimony received at this meeting. I further move to adopt the findings of fact as set forth in the Appeal Memo (or as amended during this

meeting) and direct planning staff to draft written findings and conclusions to reflect this motion, have the Chairman sign and transmit to all interested parties. This action does not result in a taking of private property. Commissioner Omodt stepped down from the Chair and seconded the motion. There was another discussion amongst the Board regarding their various stances. Roll call vote: Commissioner Williams – Yes; Commissioner Omodt – Yes; Commissioner Bradshaw – No. The motion carries.

On Monday, May 20, 2024, AN Executive Session was held pursuant to Idaho Code § 74-206 (1) (B) Personnel.

ATTEST: Michael W. Rosedale

By  _____
Chairman Luke Omodt

By  _____
Deputy Clerk

5-28-24
Date