

The Board of Bear Lake County Commissioners met in a special meeting on Monday, August 6, 2018, at 9:00 a.m. in the School District #33 Board Room in Paris, Idaho. Members present were Commissioners Vaughn N. Rasmussen, Chairman, Bradley D. Jensen, Rex L. Payne and Cindy Garner, Clerk of the Board.

Also attending were Prosecutor Adam McKenzie, County Superintendent Scott Esquibel and Pamela Harmon, The News-Examiner Reporter.

ELECTED OFFICIALS MEETING/COMMITTEE ASSIGNMENTS

APPROVE AGENDA

Commissioner Payne made a motion to accept the agenda as posted, seconded by Commissioner Jensen, motion carried.

Clerk Garner presented copies of several items for review, annexation of Dutch Canyon Ranch to the Fish Haven Recreational Sewer District, Eastern Idaho State Fair budget information and other housekeeping items.

Treasurer Tricia Poulsen was out of the area to the Treasurer's conference, so Clerk Garner presented the Commissioners with a small tax cancellation that got missed last month. Commissioner Jensen, made a motion to cancel taxes on Receipt #61029 for \$17.16, seconded by Commissioner Payne, motion carried.

Commissioner Payne had a written statement regarding the upcoming county budget he presented to be printed in The News-Examiner for public information.

Commissioner Jensen stated he and Superintendent Esquibel were moving forward on the regional landfill. They have talked with the Bear Lake West POA and they say they have an M.O.U. to allow Dutch Canyon Ranch to use the Mountain Way Road, while all the other roads stay as is. They are working out the garbage collection and have been annexed into the Fish Haven Recreational Sewer District.

Commissioner Rasmussen mentioned that the legislative rendezvous went well, numerous senators, representatives, sheriffs, commissioners and other elected officials attended. They discussed the combined effort and commitment of Utah and Idaho to fund efforts to evade quagga mussel from entering Bear Lake. The feeling is the longer we go without getting infected, the more time there is to come up with a solution to eliminate invasive species.

APPROVE MINUTES

Commissioner Payne made a motion to approve the minutes for June 25, 2018, July 9, 2018 with a correction of "Corey Lyman, as a fisheries biologist with the Forest Service", July 16, 2018, July 31, 2018 with a correction of "balance budget", seconded by Commissioner Jensen, motion carried.

RATIFY CLAIMS

Commissioner Payne made a motion to ratify the claims, seconded by Commissioner Jensen, motion carried.

RECORDS RETENSION POLICY

Prosecutor Adam McKenzie researched the length of time for keeping recorded minutes and found it to be ten years. It was suggested to keep them on a hard drive or a thumb drive.

Commissioner Rasmussen requested to move items, Update Personnel Policy – Signature and Vehicle Use Policy – Adopt, to the September meeting.

DATE FOR COUNTY EMPLOYEE APPRECIATION DINNER

Commissioners set September 14, 2018 at 5:30 p.m. to have a county employee appreciation dinner to be held at the Paris City Park or the Paris Elementary School gym in case of inclement weather. Commissioners have offered to donate the meat and potatoes as in the past.

COMP TIME

Both the Sheriff and the Road & Bridge Departments have been working on getting their comp time down and the Commissioners felt each department head would have authority to do a pay out of comp time according to their budget if they choose. They will continue to work on getting comp times down.

Commissioner Payne stated the fair was coming up next week and everything is looking good and feel it will be another good fair. The highway department is working with them to hold off on doing the curbs and gutters until after the fair. Superintendent Esquibel stated the Road & Bridge Department has been helping to get things ready for the Fair.

JEREMY JIRAK – REFUGE MANAGER-BEAR LAKE WILDLIFE REFUGE – WATER PIPELING PROJECT

Jeremy Jirak, Refuge Manager, stated some of the hay tenants have been working with PacifiCorp and they are trying to dry out some of the area to help remove the invasive species. They are proposing a water pipeline project which would go in about 150 ft east of the fish ladder with a 40 ft culvert, it would be gravity drain, concrete pre-cast with boards to regulate and another one to keep the Bonneville cutthroat trout from going into it. They do not want to impact the water users downstream, the water goes into Bear Lake with a culvert under the road and it would go into St. Charles creek. Commissioners asked if there was beach access to the west of Camp Lifton, would that impact it. Jirak stated it would be a concrete structure about 2 (two) feet with a splash pad and would not impact the beach and would operate every 4 (four) to 6 (six) years to rejuvenate the well. They would hope to start the project earliest after Labor Day and latest would be October 1st. Commissioners stated they would need to get plenty of notice out as shutting down that road for approximately a week would be a real inconvenience. It was suggested getting notices to the post office, stores, bishop, social media to help, also notify the ambulance and fire departments in case of any emergencies. Commissioner Rasmussen mentioned that years back it had been mentioned of putting in an information center, Jirak stated there had been scoping on it, but nothing else. Rasmussen stated they are looking into putting in a shooting range on the south end if possible.

BID OPENING – PARIS CANYON BRIDGE

There were 4 (four) bids that came in for the Paris Canyon Bridge and the Commissioner Rasmussen opened them as follows:

Thomas Rocks - \$36,941

Bear Lake Construction, Inc. - \$65,000

Boehme Construction - \$57,988

L & M Farm Industries - \$59,250

Commissioners will wait for Corey Lyman, Forest Service and Superintendent Esquibel to review the bids and then they will proceed with a decision later in the meeting.

MITCH POULSEN – PLANNING & ZONING RECOMMENDATION ON LAND USE & SUBDIVISION ORDINANCE, RECOMMENDATION – MELVIN CRANE RE-ZONE

Mitch Poulsen, Planning & Zoning Director, stated the board met in a hearing regarding the Melvin Crane re-zone and no one opposed. This property is between Bennington and Georgetown up against the mountain, will have year around access, maintenance and they will do a lot split at the same time on the thirteen acres. Commissioner Jensen made a motion upon the recommendation of Planning & Zoning to approve the re-zone for Melvin and Dorothy Crane, seconded by Commissioner Payne, motion carried.

There was much discussion on both the Land Use and Subdivision ordinances with regards to roads, fencing, runoff and drainage, ingress and egress, water systems, vault systems, etc. and so the Commissioners felt there was still some work to be done and it would be better to move any further decisions on the ordinances to the September meeting. The probable changes would require another public hearing before the Commissioners could move forward on accepting the ordinances.

BID OPENING – PARIS CANYON BRIDGE – CONTINUED

After review and recommendation from Corey Lyman, Forest Service and Superintendent Esquibel that the Commissioners go with the lowest bid, Commissioner Rasmussen again stated each bidder and amount. Commissioner Jensen made a motion to accept the low bid of \$36,941.00 from Thomas Rocks, Inc. for the Paris Canyon Bridge project, pending proof of proper licensing, seconded by Commissioner Payne, motion carried.

PUBLIC COMMENTS

There were no public comments.

WAYNE DAVIDSON – BUILDING INSPECTOR REPORT

Wayne Davidson, County Building Inspector, gave his monthly report stating that 22 new residence permits had been issued and that brought the total fee amount to \$44,786.55. The storage equipment building area is near ready, needing some equipment and help with the gravel, Davidson will get with Superintendent Esquibel and Road Supervisor Gregg Skinner. A tree had fallen on a landowner's fence, Commissioners instructed Davidson to get an estimate to remove it. Davidson & Commissioner Payne had met with BIG D and they continue to work to get the cost estimate down and Commissioner Payne stated they will stay in budget.

SCOTT ESQUIBEL – COUNTY SUPERINTENDENT

County Superintendent, Scott Esquibel, presented his monthly reports on the Road & Bridge and Landfill and the work being done in the past month. Esquibel reported there are five potential prospects to put in proposals on the Dingle East Shore road. Esquibel and Commissioner Jensen plan on meeting with the

Bear Lake West HOA on some questions they have. Esquibel showed the report on the radar signs and stated Sean Bartschi is willing to help pay half for one in his area.

EXECUTIVE SESSION

Commissioner Jensen made a motion to leave the regular meeting and go into an executive session pursuant to Idaho Code #74-206 (1) (b) (f) for personnel and legal matters, seconded by Commissioner Payne. Commissioners all stated "Here" in a roll call vote. Also invited to attend were Prosecutor Adam McKenzie, Chief Russ Roper, State Patrolman Chris Clausing, Deputy Court Clerk Sarah Cottle, Public Defender Criss James, Sheriff Bart Heslington by phone and Clerk Garner. Commissioner Jensen made a motion to vacate the executive session and go back into the regular meeting, seconded by Commissioner Payne, motion carried.

CRISS JAMES - PUBLIC DEFENDER AGREEMENT

Public Defender Criss James explained to the Commissioners about how the process usually works and what "first appearance" means and what is needed in order to meet the standards that are being set by the Indigent Public Defense Commission. Prosecutor McKenzie stated there had been three (3) felonies in the past two (2) months and all defendants stayed in jail from first appearance to preliminary hearing. Commissioner Rasmussen asked Clerk Garner to get some statistics for the last four (4) years.

NATHAN CUVALA - T.O. ENGINEERS REGARDING AIRPORT RUNWAY

Nathan Cuvala, T.O. Engineers, Danny McClendon and Jared Norton stated that there was a surprise project of an extra billion dollars for projects in non-metropolitan areas to be 100% federally funded. In order to be ready, Steve with the FAA wants us to get the design of the runway rehabilitation, papi on runway 28, the same on runway 10 and to add runway identifier lights. They will also do maintenance on the parallel taxiway and also do potential wetland delineation. Basically, putting in all we can do with the 100% match. The grant offer from the state is 5% and today engineering is in agreement. Bear Lake County Airport has been nominated by Steve from the FAA because of all that has already been done. Cuvala stated the AWOS has been installed and it's commissioned and working, the instrument approach was flight checked and is scheduled for publication in September. Commissioner Payne made a motion to give authority to sign the updated engineering agreement for the airport, based upon the attorney's review and approval, seconded by Commissioner Jensen, motion carried. Commissioner Payne made a motion to approve the grant offer, based upon attorney's review and approval, seconded by Commissioner Jensen, motion carried.

BUDGET REVIEW

After some discussion and review of the proposed budget, Commissioner Payne made a motion to approve the FY2018/2019 budget for publication and public hearing at 9:00 a.m. on August 20, 2018, seconded by Commissioner Jensen, motion carried.

REGIONAL LANDFILL RESOLUTION

Commissioners, Superintendent and Prosecutor discussed the proposed regional landfill, which would involve creating a district, a board, budget, grant, etc. After much discussion, it was recommended to put the resolution on the meeting for Monday, August 13, 2018, and also appoint a commissioner to serve on the committee so they can move forward.

EXECUTIVE SESSION

Commissioner Jensen made a motion to leave the regular meeting and convene back to an executive session pursuant to Idaho Code #74-206 (1) (a) (f) for records and legal matters, seconded by Commissioner Payne. All Commissioners stated "Here" in a roll call vote. Also attending were Prosecutor McKenzie and Clerk Garner. Commissioner Payne made a motion to leave the executive session and go back to the regular meeting, seconded by Commissioner Jensen, motion carried. Commissioner Rasmussen stated there was a letter discussed whether it was public information, at this time it is client/attorney privileged. Commissioner Jensen made a motion to adjourn the meeting, seconded by Commissioner Payne, motion carried. Meeting ended at 4:25 p.m.