

The Board of Bear Lake County Commissioners met in a regular meeting on Monday, September 11, 2017 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 Treasurer Tricia Poulsen, Sheriff Bart Heslington, Assessor Lynn Lewis, Prosecutor John Olson, County Superintendent Scott Esquibel, The News-Examiner Reporter Daniel Bishop, Building Inspector Wayne Davidson, citizens Jean Alleman and Robin Owsley.

#### APPROVE MINUTES

Commissioner Jensen made a motion to accept the agenda with the addition of unfinished business of setting a hearing date for the vacation of a portion of a Dingle road, two grants for emergency management and also mosquito board member discussion, seconded by Commissioner Payne, motion carried.

#### ELECTED OFFICIALS MEETING/COMMITTEE ASSIGNMENTS

Commissioner Rasmussen mentioned the historic events of the terrorists' 9-11 attacks to divide the nation, but instead it united the nation. He also stated even with the earthquakes, we can be grateful to live in Bear Lake and know if we ever have anything major, this valley rallies around each other.

Sheriff Heslington presented his monthly report and informed the Commissioners there was a crash or two during both the LOTOJA race and the triathlon race around the lake, but both activities were fairly uneventful for law enforcement. Heslington also discussed the 911 operating system shifting to fiber-optic capability and is looking into additional options to make that happen.

Prosecutor Olson mentioned he was in need of a new computer, the Commissioners stated if his budget could handle it to go ahead.

Clerk Garner showed the Commissioners an invite to an upcoming emergency responders training involving Franklin, Caribou and Bear Lake counties for all entities working in that field. She also presented them with the close-out letter for an airport grant. She also mentioned a request to host a guest extension agent while a permanent office is being created, the Commissioners agreed with the plan. Garner stated Attorney Steve Fuller was getting everything ready prior to holding a public hearing for the judicial confirmation. He had been talking with the US Attorney General's Office also on the issue.

Commissioner Jensen reported that the Road & Bridge Dept. was working very hard getting ready for the winter season, finishing up all the other projects they can.

Commissioner Payne had nothing to report at this time.

Commissioner Rasmussen stated he would be in meetings in Boise meeting with DEQ and also the Damage Prevention Board over the next few weeks.

Treasurer Poulsen reported on the two properties scheduled for tax deed sale at 1:00 p.m. later that day. One property was located in Montpelier, the other a lot in Bear Lake West. She stated there was a State of Idaho gravel pit that taxes had been owed on, however, the Assessor's office had missed a deed years ago & the original owner had been paying, so those taxes needed to be cancelled. Commissioner Payne made a motion to cancel the taxes on the second half of Receipt #2542.01, seconded by Commissioner Jensen, motion carried.

#### BUILDING INSPECTOR REPORT

Wayne Davidson, Building Inspector, gave his monthly report stating so far this year there had been thirty new residential permits issued, many of them manufactured homes. Davidson also mentioned it would soon be time to adopt the latest building code. He and the Commissioners discussed the right of way widths in Liberty, Ovid and other places in the county. Commissioner Jensen and Superintendent Esquibel will do some investigation on standardizing the right of way widths and discuss it in next month's meeting. They also discussed the garbage for new construction and tying it to the building permit. Davidson also reported that an ADA inspector out of Pocatello visited the courthouse, declaring it officially non-ADA compliant. This is part of the third party official documentation needed for the judicial confirmation.

#### DENNIS DUEHREN – FOREST SERVICE – PRESCRIBED FIRE ST. CHARLES CANYON

Dennis Duehren of the Forest Service reported there would be a prescribed burn in the north fork of St. Charles Canyon. The Franklin Basin wildfire was still burning and was being monitored closely. Both of these fires will add some smoke to the valley skies.

#### WILL CRANE – MAPLE CANYON ROAD

Will and Mary Crane presented a request to the Commissioners to change the snowplow turnaround to match the school bus turnaround on Maple Canyon Road. They believed that this will make the bus route safer for the children and easier for the plow. The Commissioners liked the idea and will have the Superintendent Esquibel look into it further. The Cranes also asked if the county could create a better sportsman parking area on the road and it will be looked at as well.

#### JARED MARCHAND-6<sup>TH</sup> DISTRICT CASA

Jared Marchand of the Sixth District Court Appointed Special Advocate (CASA) introduced himself and his assistant, Traci Erickson, CPA. He told them about the role of CASA in child protection and child custody trials. CASA works to give the child a voice in the hearing as well as giving them a friend. They stated that they are always looking for community volunteers.

#### TRANSLATOR DISTRICT – SERVICE RECOGNITION

The Commissioners presented a Service Recognition Award to Gene Johnson for his thirty-two years of volunteer service to the Bear Lake Translator District. Johnson served on the translator committee and helped keep the television and radio signals strong in the area. Commissioners stated how dedicated

Johnson had been to keep everything going and helping many customers enjoy that service and he will be missed, but wish him well in the future.

#### EMERGENCY MANAGEMENT GRANTS

Commissioner Payne made a motion to approve signatures on the 2017 State Homeland Security Program Grant and also the 2017 Emergency Management Performance Grant for salary & the CAD system, seconded by Commissioner Jensen, motion carried.

#### APPROVE CLAIMS

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

#### APPROVE MINUTES

Commissioner Jensen made a motion to approve the minutes for August 14 & August 21, 2017, seconded by Commissioner Payne, motion carried.

#### COMMISSIONERS & BOARD CHAIRMEN

Commissioner Rasmussen stated he would like them to meet with the chairmen of all of the different boards in the county and review and go over the budget and levy process and how it all works. He thought it would work better to have an evening meeting and later this winter when things are a little slower for everyone. The other Commissioners agreed and they will look at setting that up at a later date.

#### DESIGNATE POLLING PLACES

Commissioners reviewed the polling places for the upcoming November 7, 2017 Election. The five cities will be holding elections. The other political subdivisions, namely cemeteries & fire, had no opposition so per their code they do not have to hold an election, those are now appointed by their boards. Commissioner Jensen made a motion to designate polling places as follows: Montpelier #1 - Allred Center, Montpelier #2 - Grace Thiel Community Center, Montpelier #3 - Montpelier Fire Station; Bloomington - Bloomington City Hall, Georgetown - Georgetown City Hall, Paris - Paris Tabernacle Annex and St. Charles - St. Charles City Hall, seconded by Commissioner Payne, motion carried.

#### MOSQUITO ABATEMENT BOARD MEMBER

It had been brought to the attention of the Commissioners that there was a vacancy in the Bear River Mosquito Abatement Board, they will follow up with the board members on candidates to fill the seat.

#### DINGLE ROAD – VACATION

Due to some changes in the proposal, the public hearing for the road vacation in Dingle was delayed to October 23<sup>rd</sup> at 9:00 a.m. It will be published in twice in the paper. This is by the Michael Robison property.

## JIM SHELTON – HARDSHIP APPLICATION

Jim Shelton presented his hardship application to the Commissioners and after some review and discussion, it was decided to grant a small penalty & interest cancellation, but Mr. Shelton would still be responsible for paying the taxes. Commissioner Payne made a motion to cancel the penalty and interest for the 2014 taxes, and Mr. Shelton would still need to pay the taxes, seconded by Commissioner Jensen, motion carried.

## PUBLIC HEARING – PLAT VACATION’S- MIRANDA ARMSTRONG & BOB GEDDES

Commissioner Jensen made a motion to leave the regular meeting and convene into a public hearing pursuant to Idaho Code #50-1306A regarding vacation of plats, seconded by Commissioner Payne, motion carried. Dallas & Miranda Armstrong presented the requested lot vacation of the Meadow-Row Subdivision in Liberty as they would need to build on the line between the two lots in order to accommodate the septic system. Commissioners reviewed and there were no other comments.

Robert (Bob) and Tammy Geddes presented their case for vacating two lots in the Bailey Creek Subdivision as there are issues with ground water levels and septic system issues. They also requested vacating two platted culdesac roads as they are not constructed and they own the land surrounding and do not plan on ever constructing them as roads. The Bailey Creek Homeowners’ Association members were there to make comment stating that the reduction of lots could hurt the associations’ ability to maintain the water system and didn’t want to set precedence. There was more discussion with all parties involved.

Commissioner Payne made a motion to leave the public hearing and return to the regular meeting, seconded by Commissioner Jensen, motion carried. Commissioner Jensen made a motion to accept the petition to vacate lots 5 & 6 of the Meadow-Row Subdivision, seconded by Commissioner Payne, motion carried. Commissioners stated they would like more information prior to making the decision on the Bailey Creek Subdivision vacation, so they will address it next month.

## PUBLIC COMMENTS

Roy Bunderson asked the Commissioners about the progress of the judicial confirmation on the courthouse as he is concerned about the rising construction costs as time goes on. Commissioner Rasmussen stated that the attorney was gathering all the information needed and things are moving forward. He will set down with the attorney and get a time line. Bunderson also asked the county’s attitude regarding junk in the public right-of-ways throughout the county. Commissioners stated they may send out letters again as it did help some in the past when they did it before.

## EXECUTIVE SESSION

Commissioner Payne made a motion leave the regular meeting and go into an executive session pursuant to Idaho Code #74-206 (b,d) for personnel and indigent matters, seconded by Commissioner Jensen. All Commissioners stated “Here” in a roll call vote. Also invited to the executive session were Deputy Clerk Jamie Humpherys, Prosecutor John Olson and Clerk Cindy Garner. Commissioner Payne

made a motion to leave the executive session and go back to the regular meeting, seconded by Commissioner Jensen, motion carried. A couple of items came out of the executive session. Commissioner Jensen made a motion to deny Medical Claim #2018-03, suspend Medical Claim #2017-08, approve Medical Claim #2018-04, seconded by Commissioner Payne, motion carried. Commissioner Payne made a motion to give approval to sign the lien on Medical Claim #2018-1, seconded by Commissioner Jensen, motion carried. Commissioner Payne made a motion to give approval to sign the Certificate of Residency for Katelyn Perkins for CSI, seconded by Commissioner Jensen, motion carried.

#### TRICIA POULSEN – TAX DEED SALE

Commissioners reconvened over to the courthouse steps for the tax deed sale. There were two properties auctioned off to the highest bidder. Parcel #00647.05 went to Net Profit, LLC for \$5,500.00 and Parcel #28335.00 went to Gary Sandberg for \$20,000.00. The meeting continued back at the school district board room.

#### MITCH POULSEN – ASPEN CREEK MEADOWS PHASE 4

Mitch Poulsen presented a copy of a Rich County land ordinance to see if it could be used in Bear Lake County and the Commissioners will review it. He also presented a report of the activity going on in Planning and Zoning. Bart McKinnon was stuck in construction and will be coming to finish the discussion on Aspen Creek Meadows Phase 4.

#### CRAIG COLES – LOWER VALLEY ENERGY – PIPELINE

Craig Coles of Lower Valley Energy informed the Commissioners of the plan for a natural gas pipeline that would connect the Williams Pipeline to Afton. The pipeline will go through Bear Hollow east to the Geneva Summit and over to Crow Creek. The proposed date of completion is the middle of next summer. There will be a public hearing in the next month or two and the Commissioners asked to see the plans and full map to review.

#### MITCH POULSEN – ASPEN CREEK MEADOWS PHASE 4 – CONTINUED

Poulsen presented the final plat for the Aspen Creek Meadows Phase 4, had a few typographical errors and were waiting on the surveyor's final review. Bart McKinnon was also present and stated they are an established development which will not cut and bail on people. McKinnon may go ahead and build rather than do the surety bond if it's too late in the fall. Commissioner Jensen made a motion to approve the final plat of Aspen Creek Meadows Phase 4 based upon the spelling corrections and surveyor's final review, seconded by Commissioner Payne, motion carried.

#### SUSIE & MARIO AMANTITE – SPEEDING IN BERN AREA

Susie and Mario Amantite along with numerous other Bern residents addressed the Commissioners on the speeding problem in the Bern area. This is a county-wide problem that has been brought up before. Speed bumps and speed humps were discussed and also whether the speeders were locals or tourists. The Commissioners suggested the option of purchasing a flashing speed limit sign that can be moved to

different areas in the county to bring awareness to the problem. Sheriff Heslington and Attorney Olson were asked to look into the legality of issuing tickets from a speed camera. Commissioner Rasmussen stated that we all have to work together to solve this problem and we all need to watch ourselves.

#### DEPARTMENT HEAD MEETING

The Commissioners invited all the county department heads to the meeting so they could discuss the budget and other issues affecting the county employees and felt it was important to have good communication. They answered questions and addressed concerns. They discussed comp time, health care and the other benefits that are provided to the employees, stating that the county has good employees. The Gem Plan Insurance is doing well and it is because the employees do not abuse it and it has helped keep the costs down much lower than most every other insurer. The department heads were asked to help by the attitude they take back to the county employees in keeping our county unified, not divided and work efficiently as possible for the good of the whole county.

#### DEVIN SKINNER – JOE’S GAP SUBDIVISION

Devin Skinner presented a new plan for the Joe’s Gap Subdivision to the Commissioners and asked for guidance to move forward with road gravel and designs. They directed Skinner to work with Scott Esquibel, County Superintendent regarding the roads and Mitch Poulsen for planning and zoning answers.

#### ALAN EBORN – EMERGENCY SERVICES

Alan Eborn, Emergency Manager, addressed the Commissioners regarding Emergency Services and a job description for a new manager for when he does leave. He would highly suggest they get someone who is self-motivated and it should be mandatory they have a good working relationship with the emergency responders. FEMA has new training regulations and the training is going on now. Eborn informed the Commissioners he had acquired a generator for the Alternate Care Facility. They now need to build the hookups for the generator and find a place to store it.

#### EQUIPMENT BUILDING BID REVIEW

Wayne Davidson discussed with the Commissioners the new fire, police and ambulance shed bid. There were some significant changes made to the original specs for the bid but both bidders were aware of the changes and didn’t think they would be a problem. Issuing a new bid would cost too much time and delay the building. Commissioner Jensen made a motion to accept the bid from Bear Lake Construction at \$226,347.75, seconded by Commissioner Rasmussen, Commissioner Payne abstained, motion carried. Commissioner Jensen amended the motion to accept the bid from Bear Lake Construction at \$226,347.75 and a new completion date of February 1, 2018, seconded by Commissioner Rasmussen, Commissioner Payne abstaining, motion carried. Davidson stated he will get with the city and get the permit and Commissioner Jensen mentioned that the city said they will help with the water line with a fire hydrant.

#### SCOTT ESQUIBEL – COUNTY SUPERINTENDENT

Scott Esquibel, County Superintendent presented his reports on the Road & Bridge and Landfill. He has been working with the Bear Lake West Homeowners, to educate them on the driveway standards for drainage and working to fix the bar ditches to help prevent future flooding. Esquibel is working with DEQ to bring the landfill back to specs. He is also working on the waste tire ordinance and the Commissioners asked him to look into installing a guard rail on Pegram Road by the river.

#### AIRPORT GRANT

Commissioners signed a Notice of Award for the airport which had been approved previously.

#### APPROVE 2018 LEVIES

Deputy Clerk Amy Bishop presented the Commissioners the 2018 levies. After some discussion and brief explanation, Commissioner Payne made a motion to approve the 2018 Levies, seconded by Commissioner Jensen, motion carried.

Commissioner Jensen made a motion to leave the regular meeting and go back to an executive session pursuant to Idaho Code #74-206 (b) for personnel matters, seconded by Commissioner Payne. All Commissioners stated "I" in a roll call vote. Commissioner Payne made a motion to leave the executive session and adjourn the meeting, seconded by Commissioner Jensen, motion carried. Meeting adjourned at 5:15 p.m.