

The Board of Bear Lake County Commissioners met in their regular session on Monday, January 8, 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.

Others attending were Treasurer Tricia Poulsen, Sheriff Bart Heslington, County Superintendent Scott Esquibel, Building Inspector Wayne Davidson, and The News-Examiner Reporter Daniel Bishop.

#### APPROVE AGENDA

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

#### ELECTED OFFICIALS MEETING/COMMITTEE ASSIGNMENTS

Treasurer Tricia Poulsen stated she had been questioned about garbage fees on the other taxing entities and as they discussed it, Treasurer Poulsen will do some checking on that issue and address it at the next meeting.

Commissioner Jensen stated he and Superintendent Esquibel checked out a road up Skinner Canyon regarding plowing it, as they discussed it with the owner they agreed it should not be plowed.

Commissioner Payne stated that Richard Nelson's term on the airport board is ending and he still wants to serve. All the boards need to be checked.

Commissioner Rasmussen stated he attended a Gem Plan board meeting last week and will be having another one, the County will get an amount back, but not sure how it will be decided. They have also been talking with ICRMP. The legislators start meeting this week, Commissioner Rasmussen has been talking with Senator Lakey and there is still a legislator trying to change the funding, they may need to write a letter.

#### WAYNE DAVIDSON – BUILDING INSPECTOR REPORT

Building Inspector Wayne Davidson was back, hip surgery went well and is back to work, complemented the county hospital and the employees as very professional. Davidson said this would be the last report of the year and there are total of 44 new homes. The contractors are now building spec homes again. With the superintendent's help, they are getting the roads squared away with encroachment permits. The County needs to adopt the IDABO codes for 2015. The Legislature had mixed up part of 2012 and 2015 codes. The County can adopt more if they have good cause and have a hearing. They could do a resolution and go on to adopt the code. Commissioner Jensen made a motion to accept the proposed changes based on the Idaho State code, seconded by Commissioner Payne, motion carried. Davidson had done research on the Geneva Road as requested and found nothing showing that it was a County road.

#### DAVID MUNK – PROPERTY TAX

Sharlene Munk appeared by phone regarding a late tax fee for \$16.85. They had some extreme family situations and with the holidays, her husband paid one day late, they always pay in full. and asked for it to be forgiven. Commissioner Rasmussen sympathized with their problems, however stated the county needs to be consistent with everyone and could not forgive those fees.

## BUILDING INSPECTOR REPORT – CONTINUED

Davidson mentioned the waste management process and it was decided the wording that should be on new residences is they would be advanced two tons of their five tons total. There was discussion on the new County building and using a general contractor and being sure we have public works contractors, and this is all based upon if the judge approves the judicial confirmation. Davidson also mentioned the new equipment building was getting close to being done and as soon as it's done, he would work on getting the bathroom done.

## U.S. FOREST SERVICE & SCENIC CANYONS GARBAGE COLLECTION

Commissioner Rasmussen stated that the US Forest Service/Scenic Canyons Campgrounds had come into the previous meeting requesting garbage dumpsters and pick up as their permit had expired with the forest service. The Commissioners recommended that they hire their own help as the County would not be able to do the pickups. Superintendent Esquibel will get in contact with them.

## MOA FOR AWOS – WEATHER SYSTEM AGREEMENT

Commissioner Payne made a motion to approve the MOA between the Federal Aviation Administration and Bear Lake County for AWOS, the weather system agreement, seconded by Commissioner Jensen, motion carried.

## APPROVE MINUTES

Commissioner Jensen made a motion to approve the minutes from the December 11<sup>th</sup>, 13<sup>th</sup> and 29<sup>th</sup> meetings, seconded by Commissioner Payne, motion carried.

## RATIFY CLAIMS

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

Sheriff Bart Heslington presented his monthly report and stated he still had numerous people ask him if we are building a Court House, why not build a jail. He stated the operational cost is so high and we would have to have twice that number of inmates and other counties will not bring their inmates to Bear Lake. Heslington spoke with the Jail Commander and stated Bear Lake County would not renew the contract until they updated all the names, so that will be coming. Commissioner Rasmussen stated the Crisis Center was brought up and doing a Joint Powers Agreement with Bannock County. Sheriff Heslington stated they have taken inmates up to Pocatello. It takes a deputy's entire shift to take them up there, they have stated they had a bed in the facility and when the deputy arrives, they say today's not a good day and so then they're dropped and they have to start over. Heslington stated ITD was still having issues with their driver's license system since being converted over and there has been a lot of delays or downtimes with the system, but they are working on it. The school resource officer program is going well and they are still getting excellent response. They are taking the next step into providing a more comprehensive and unified response toward an active response for an active event at the schools and hospital if one occurred. We are moving toward a program called Train the Trainer and would get certified trainers, they would work with training the school district and hospital and teach the civilian

response on how to respond in different incidents and that will dovetail with law enforcement response and everyone will have a coordinated response. This is a Department of Justice certified training that is nationwide. The game plan is to have the Sheriff's office, Montpelier Police Department, Caribou County and the neighboring agencies for that coordinated response. They have been very busy investigating a string of burglaries which has evolved into drugs, weapons, forgeries and a number of arrests, with more coming. Commissioner Rasmussen asked the Sheriff to thank the Resource Officer as he saw him shoveling the sidewalk at the middle school and appreciated that extra effort.

#### MICHAEL FAELIN, GARY MCKEE – SUBDIVISION LANGUAGE

Gary McKee appeared and Michael Faelin appeared by phone, questioned which ordinance is in effect as there was some confusion which was being used on the lots under five acres, whether it was the 2009 or 2011. Mitch Poulson will check into it and see if it was accepted. Commissioner Rasmussen stated if the 2009 is in effect, there are no problems, if 2011, they may have to do a possible variance. McKee had Ephraim Hodge come, he is in the impact area of Bloomington and may have some of the same problems. As he was not on the agenda, it was advised to get on the agenda next month. Steve Hardy stated he thought there was sewer available for the Faelin property, it would be about one hundred feet off of Ridge Way. They would have to put in a lift station.

#### RESOLUTION #2018-06 – PETITION FOR JUDICIAL CONFIRMATION, ETC.

Commissioner Rasmussen stated as they had voted to go forward with the petition for Judicial Confirmation and financing the construction of a new county courthouse, the next step was to have a resolution to go forward. Clerk Garner read Resolution #2018-06, Petition for Judicial Confirmation in its entirety. Commissioner Payne made a motion to accept Resolution #2018-06 regarding the Petition for Judicial Confirmation seconded by Commissioner Jensen, motion carried.

Treasurer Poulson presented a 2018 draft of the garbage fees of all the entities in the County for the Commissioners to look over. They reviewed it and decided to leave it as is.

#### PUBLIC COMMENT

David Cottle asked for updates on the Highway 89 shoulder project and also turn lanes. Commissioner Rasmussen stated he hadn't heard anything more on the shoulder project and he would ask Jerry Mackey regarding the turn lane by the reserve, which should have been taken care of. Cottle asked about the Department of Lands and wondered if they were working on it. Commissioner Rasmussen stated he has a letter and they are recommending a list of names and they'll get a date for when they will get started. Cottle also mentioned a marina at Bear Lake Sands, the Nebeker kids want to do something with it. They just renewed their commercial license and it looks like it is a commercial marina. Steve Hardy asked about the subdivision of Michael Faelin's and if it went through the Planning and Zoning Commission, Commissioner Rasmussen stated that it had.

#### SCOTT ESQUIBEL – COUNTY SUPERINTENDENT

Per Commissioner Jensen's request, Superintendent Esquibel stated that all the signage for "No Winter Maintenance" would be put up as soon as possible. The sign at Marv Robinson's has been moved to the correct place. Esquibel spoke about the Parker pit and they needed a new form signed as Bob Taylor was relinquishing his rights. Commissioner Jensen made a motion to have Superintendent Esquibel sign

the Instrument Assignment document, seconded by Commissioner Payne, motion carried. Esquibel has been working on the FEMA reports, has received one check & hoping for another one soon. They pulled down the electronic signs now & have sent the information to the Sheriff. He has tried to call Roy Bunderson about the wings that the County provided and he was going to put up, but haven't been able to get ahold of him. The crew has been working on repairs on the County trucks, cleaning the facility at Road and Bridge when not plowing. They're getting the required training done. Todd Transtrum is working on maintaining and updating the living map on the roads. He will prioritize it, have a filled out instrument sheet with ratings and overall costs which will help on budgeting. Esquibel gave the landfill report. He is having Todd do a breakdown on the home rentals, as there is more garbage now as the snowbirds are renting out their residences.

#### EXECUTIVE SESSION

Commissioner Jensen made a motion to leave the regular meeting and go into an executive session pursuant to Idaho Code #74-206 (b,f), for personnel and legal issues, seconded by Commissioner Payne. All Commissioners voted "Here" in a roll call vote. Also invited to stay were Superintendent Scott Esquibel and Clerk Cindy Garner. Commissioner Jensen made a motion to leave the executive session and go back to the regular meeting, seconded by Commissioner Payne, motion carried.

One item of business that came out of executive session was a lease agreement with Western States. This is a piggyback lease on a 2018 Wheel Loader. Commissioners had discussed this in their previous meeting. Commissioner Jensen made a motion to sign the sales agreement, seconded by Commissioner Payne, motion carried. It was agreed to have Superintendent Esquibel sign the warranty documents.

#### ESTABLISH ELECTION PRECINCTS – ID CODE #34-301

Clerk Garner stated that per Idaho Code #34-301, The Commissioners have the option to look at the precinct boundaries. As five citizens live out in the Eight Mile area, they go to Georgetown to vote, but on their schools, they are in the Bailey Creek Precinct. The Clerk's office has to do modifications with the Secretary of State's office almost every election to allow them to vote by mail in the Bailey Creek Precinct to protect their privacy. It is requested to move them into the Bailey Creek Precinct permanently. The other request would be to divide Liberty and Ovid into two precincts and as they are small enough they could both be mail ballot precincts. Both of these options would save taxpayer dollars. Commissioner Payne made the motion to move the boundary to include those citizens in Eight Mile to the Bailey Creek Precinct, seconded by Commissioner Jensen, motion carried. Commissioner Jensen made the motion to divide Liberty and Ovid into 2 precincts, creating two mail ballot precincts, seconded by Commissioner Payne, motion carried.

#### HOSPITAL BOARD APPOINTMENTS

Commissioner Rasmussen stated there were three board members whose terms were up, Mary Bateman, Steve Allred and Mark Harris. Steve already indicated he would not seek to be reappointed as he has served fifteen years and would like to give someone else that opportunity. The other two members indicated they did want to continue to serve. The hospital board also submitted Craig Culver's name to fill Allred's spot. There were four other names that were submitted, Chad Hansen, Rich Smart, Shawn Turner and Emily Transtrum. Commissioner Payne made the motion to reappoint Mary

Bateman and Mark Harris and also appoint Craig Culver, seconded by Commissioner Jensen motion carried. These are three year terms.

#### LAND PURCHASE AGREEMENT

Commissioner Jensen stated they were working on a possible land purchase agreement. He has acquired an appraiser and they will look at that and then have a survey done.

#### 2018 ROAD REPORT

Commissioner Jensen made a motion to sign the 2018 Annual Road Report, seconded by Commissioner Payne, motion carried.

#### EXECUTIVE SESSION

Commissioner Payne made a motion to leave the regular meeting and go back into an executive session pursuant to Idaho Code #74-206 (b), for a personnel issue, seconded by Commissioner Jensen. All Commissioners stated "Here" in a roll call vote. Also invited to stay were Judge R. Todd Garbett, Judge Mitchell W. Brown, Sheriff Bart Heslington, Chief of Police Russ Roper and Clerk Cindy Garner. Commissioner Jensen made a motion to leave the executive meeting and adjourn, seconded by Commissioner Payne, motion carried. Meeting adjourned at 4:05 PM.