

BEAR LAKE COUNTY COMMISSIONERS' MEETING

NOVEMBER 8, 2021

COMMISSIONERS' CHAMBERS – PARIS, IDAHO

The Board of Bear Lake County Commissioners met in their regular meeting on Monday, November 8, 2021 at 9:00 a.m., in the Commissioners' Chambers in Paris, Idaho. The meeting was also able to be accessed by Zoom. Members present were Commissioners' Vaughn N. Rasmussen, Chairman, Bradley D. Jensen, Rex L. Payne and Clerk of the Board, Cindy Garner.

Others present were Treasurer Tricia Poulsen, Sheriff Bart Heslington, Prosecutor Joe Hayes, Assessor Heber Dunford, citizens Jean Alleman, Robin Owsley and Edwin Izatt.

APPROVE AGENDA – ACTION ITEM

MOTION: Commissioner Jensen made a motion to approve the agenda as posted for November 8, 2021, seconded by Commissioner Payne, motion carried.

ELECTED OFFICIALS UPDATES/COMMITTEE ASSIGNMENTS

Sheriff Bart Heslington reported working on staffing, have hired a new employee and will start training. Staying busy in the off season, working with the dive team, have acquired a trailer and have six (6) certified open water divers at this time. Ups and downs with the jail being able to accept prisoners, appreciate Sheriff Mabey working with them. Commissioner Rasmussen reported they are working on how the Juvenile Detention Center is billing, have several proposals and hope to be closer to true cost.

Treasurer Tricia Poulsen presented her report showing the taxes in each district, cities, cemeteries and schools. The tax drive went very well, even with the levies being late, sent to Master Touch and the tax bills have gone out. With the new hire in the Assessor's office, the deed transfers went from seven (7) months behind to about four (4), which is very helpful. Have the same tax notice every year that a mobile home is on, property is owned by someone else. The Tax Commission contacted Poulsen and they have taken the land and want to buy the mobile home for the taxes. Almost had her first public administration case, when someone dies and there is no known family, her responsibility is to secure the assets. Contacted the Sheriff to go with, they eventually did find someone in the home and found there was a living sister who will take the case. The Courthouse Committee met, Veteran's officer, Ed Lyon, did get a grant of \$5,000, which is a huge help and they have received other donations, have picked out the stone. Would like to have county help with the big flagpole, cement work and flag. The Sheriff is working on bids for the lighting for the monument and the flag. There will be six (6) flags with the monument, one for each branch of the military. The Sheriff also urged they use the internal mechanism and the hardware will last longer. They discussed trees and landscaping, Paris City would like similar trees. Commissioners appreciate the committee and the extra work and also the grant that Ed Lyon acquired for this project.

Assessor Heber Dunford presented his report on his departments, citizens still wanting to come even with the State taking over the online registrations. The legislators, with House Bill 389 regarding property taxes, have created something that needs to be discussed and let them know the affect it has on citizens. In looking, there will be about fourteen property owners that will not qualify, which will

hurt them. Commissioner Rasmussen urged him to attend the next 4-County meeting as our legislators attend and it would be a good time for him to present his concerns to them. Jace Cundick with the State Tax Commission, met with them and is going over their program and giving some guidelines and help. Will look at the next budget year for hiring a contractor to help. They will all be going to Winter School training in January, the other employee will be back from maternity leave and handle the office.

GENERAL BUSINESS/ACTION ITEMS

RATIFY CLAIMS

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

APPROVE MINUTES

MOTION: Commissioner Jensen made a motion to approve the minutes for October 12, 2021, seconded by Commissioner Payne, motion carried.

RESOLUTION 2022-01 – LIQUOR, BEER & WINE RESOLUTION

Commissioner Rasmussen read the list of all the vendors and then read Resolution #2022-01 in full. A copy of the resolution and list of vendors can be accessed at the Clerk's office.

MOTION: Commissioner Payne made a motion to approve Resolution #2022-01, for Liquor, Beer and Wine applications, seconded by Commissioner Jensen, motion carried.

CANVASS NOVEMBER 2, 2021 ELECTION

Clerk Garner presented the Commissioners with the unofficial results for the November 8, 2021 Election for the four (4) cities, Montpelier, Georgetown, Paris, and Bloomington and one (1) cemetery, Bern Cemetery, for their review.

MOTION: Commissioner Payne made a motion, acting as the Board of Canvassers, to accept the results for the November 8, 2021 Election for the cities of Montpelier, Georgetown, Paris and Bloomington, also accept the results for the Bern Cemetery, seconded by Commissioner Jensen, motion carried.

ARPA FUNDS – LIFEPAKS – Action Item

MOTION: Commissioner Jensen made a motion to use some of the ARPA funds to purchase four (4) Lifepaks for the Ambulance Service, seconded by Commissioner Payne, motion carried.

2021 SUBRECIPIENT AGREEMENT

MOTION: Commissioner Payne made a motion to approve and sign the 2021 Subrecipient Agreement for \$20,662.24, an annual Homeland Security Grant, seconded by Commissioner Jensen, motion carried.

Commissioner Rasmussen noted that they had received a letter from Alan Eborn and he will be retiring at the end of the month as the County's Emergency Services Coordinator, so they will need to take action in the December meeting to find a replacement.

PERSONNEL POLICY UPDATE

Deputy Clerk, Mindy Williamson, met during the month with each Commissioner one on one to go over the personnel policy, has put in all the updates for approval. Commissioners appreciate all the work Williamson has put in on this, going through ICRMP to have the support and backup of our insurance company. Commissioner Rasmussen met with Jim McNall from ICRMP in Boise to also discuss matters in the policy.

MOTION: Commissioner Jensen made a motion to accept the updates for the Bear Lake County Personnel Policy Handbook, seconded by Commissioner Payne, motion carried.

JOINT BOARD of GUARDIANS RESOLUTION

They have been working on a joint board with the other counties to form a Board of Guardians as it is difficult for each county to handle on their own. The bylaws had been discussed and approved previously, but didn't have a resolution at that time. Sheriff Heslington would request to have a sheriff on that board as contact is usually by enforcement first. Sheriff Heslington offered to be on that board, Treasurer Poulsen agreed to serve also. Commissioner Payne informed them it would be on a rotational basis. The Sheriff will be the coordinator and Treasurer a board member. Clerk Garner read Resolution #2022-03 for the Southeast Quad Board of Guardians in full.

MOTION: Commissioner Payne made a motion to approve Resolution #2022-03 to be join the Southeast Quad Board of Guardians, seconded by Commissioner Jensen, motion carried.

NATIONWIDE OPIOD SETTLEMENT

MOTION: Commissioner Payne made a motion to sign on for the Nationwide Opioid Settlement Agreement, seconded by Commissioner Jensen, motion carried.

Edwin Izatt wanted to mention the previous topic of the Lifepaks, that they would be outdated next year, so appreciates the funding towards new.

WAYNE DAVIDSON – BUILDING INSPECTOR REPORT

Building Inspector, Wayne Davidson, reported to the Commission he has a total of sixty-seven new residences now, some hurried to get concrete in, may purchase lumber next year depending on what interest rates do. Assessor Dunford expressed appreciation of the communication with their office and taking Deputy Appraiser Bailee Argyle along to help her get those properties on the tax roll. Davidson commented Argyle is very aggressive and learning quick. Commissioners appreciated them working together, saves time and helps with the education on the construction process.

Commissioner Payne did more research on the Eastern Idaho AG Hall of Fame plaque from the old courthouse and it is still in effect and will find out more. It is located at the Extension office currently. Working on getting estimates on the Allred Center, flooring - \$10,495.14, walls - \$5,000.00, Davidson has volunteered to help with labor on that. With everything that needs to be done it will be about \$20,000. The Oregon Trail Center had significant lost revenue and Becky will send those figures. They are in need of roof repair of about \$6,000 and the sound system needs upgrading which is about \$20,000, which would not be the county's. The Senior Center, where it is a backup for emergencies, could use about \$25,000.

Commissioner Jensen reported attending the open house for the proposal for storing water in different areas, one idea was on the east side of Mud Lake, a way to store solar and wind power. Attended the District Landfill meeting, still going good, they are staying busy and handling problems as they come. Regional Commission meeting had both Utah and Idaho State Parks working on how they are growing, changing and ideas, revenues that are being brought in and ideas for the future.

Commissioner Rasmussen mentioned the Dry Canyon Project with PacifiCorp is all proposal at this time, have not had any studies yet, just getting the information around. They are looking at doing about twelve in the West as a great way to store power, looking at 1,800 megawatts. Mud Lake would have a 23-foot dyke projected to be on the south end. If the project happens, it could mean about 38 good working jobs, during construction would be about 1,000 to 1,500 jobs. Needs to be cost effective, there will be more information to come. As stated earlier, the Juvenile Board is working to set a new rate fee, hoping for a decision in January or February. The ICRMP and Gem Plan boards are doing well, the Health Department indicated Bear Lake has 26 active Covid cases at last report, also the common cold is showing up.

MITCH POULSEN – PLANNING and ZONING ADMINISTRATOR – FINAL PLAT - PHASE 7, THE RESERVE; COMBINED PRELIMINARY and FINAL PLAT – CABIN HOLLOW

Mitch Poulsen, Planning and Zoning Administrator, informed the Commission of the recommendation from the Planning and Zoning Board to approve the final plat for Phase 7, The Reserve. It is about 21 lots in about 21 acres, when initially subdivided it was capped at 567 units and they keep track of it. They plan to put in all roads and infrastructure to county standards, will be connected to the sewer system, they will maintain the roads and they are working on the financial guarantee at this time, have seen preliminary numbers. Subdivisions this size, they are doing good on the ingress and egress, will have a minimum of two (2) accesses. May want to look at for the future on requirements.

Commissioner Payne encouraged being aware of possible fires and having firewise landscaping. County Superintendent, Scott Esquibel inquired about the roads being private, but built to county standards, having an engineer certify the road is to standard. Esquibel would request the developer provide a copy of that certification. Edwin Izatt, speaking from an emergency service standpoint, the need to have those second accesses, even if gated and if the code changes, they have to call dispatch. Gary McKee would like the road easement in the area of South Canyon to be clarified, it is difficult to get a building permit. Davidson and Poulsen have discussed and will look at further.

MOTION: Commissioner Payne, made a motion to accept the Planning and Zoning Board's recommendation to approve the final plat for Phase 7, The Reserve, seconded by Commissioner Jensen, motion carried.

Poulsen informed the Commission of the recommendation from the Planning and Zoning Board to approve the combined preliminary and final plat for Cabin Hollow Subdivision, located just off of Mountain Way, east of Bear Lake West Subdivision, Plat B. The Planning Commission approved with a few conditions from the engineer. The conditions include meet engineer's review, paying their fees, notation on plat that easement is to be public on the consummation of the right of way across Lot 5, that the right of way would be 60 feet. They also discussed extending the road south of the property line. This property is located just off of Mountain Way which is a convenient location and might be about to help with a second access, could connect into Aspen Creek Meadows Subdivision. This is not a guarantee, but possibly in the future.

MOTION: Commissioner Jensen, made a motion to accept the Planning and Zoning Board's recommendation to approve the combined preliminary and final plat for Cabin Hollow, seconded by Commissioner Payne, motion carried.

MITCH POULSEN – PLANNING and ZONING ADMINISTRATOR – AEONAI SOFTWARE PROGRAM – ACTION ITEM

Mitch Poulsen followed up with the Commission on the Aeonai Software Program presented the month prior and it is based on how zoning currently is and how it may be in the future. The software reviews all the different Air B & B websites and gives information, Poulsen would put in all the information, taking about a month to complete. It would be a joint program with Rich County, who reported to Poulsen they would be on board. They would split the cost, each would pay \$1,250 a year. Commissioners will table and review the information thoroughly before making a decision.

Clerk Garner presented the Commissioners the updated levies and addressed an inquiry regarding the old flagpole at the corner of the property and was informed it would be taken down when the new one goes up.

RON HARPER – YEARLY PROBATION REPORT/JUVENILE JUSTICE FINANCIAL REPORT – ACTION ITEM

Probation Officer, Ron Harper went over his yearly report for the Commissioners. Harper informed the Commission the State has been considering moving Probation officers from Rule of 90 to Rule of 80, will look for that legislation.

The Annual Juvenile Justice Financial Report was presented and needed to be signed.

PUBLIC COMMENTS

Edwin Izatt addressed the Commissioners in reference to the major developments going on and would like to see some kind of impact fee to help the County. For example, The Reserve and all the lots up there, maybe set aside some ground for a fire station and help fund for emergencies. Especially work on the ingress and egress matters. Cabin Hollow is developing one big lot and several small with a cul-de-sac but can run out of someone else's lot, be sure to look at close on how it impacts the county. Commissioners feel that would be a good idea for the large subdivisions to have a small portion of the ground used for emergency services for future development.

SCOTT ESQUIBEL – COUNTY SUPERINTENDENT

First, regarding updated Personnel Policy, thank Commissioners and appreciate all the work Deputy Clerk Mindy Williamson did on the updates, one being going hourly on new hires. Commissioners are looking at having current employees going hourly and will look at in the new budget year, new will get paid overtime, but no more comp time. They will look at an average report of the time to review and make a clear decision.

County Superintendent, Scott Esquibel, gave his monthly report to the Commissioners, working on a new grader lease, turning in the oldest grader. The crew has been rebuilding and maintaining roads, trimming trees and removing beaver dams. They are working with the state transportation in building the road to Hell Hole to access the radio towers, replacing and marking culverts, install snow fencing on designated roads, etc. There was discussion on speed signs and have budgeted for two (2) each year, would like to see the impact up Georgetown Canyon with the upcoming activity.

PUBLIC HEARING – OPEN 2021 BUDGET – ACTION ITEM

MOTION: Commissioner Jensen made a motion to leave the regular meeting and go into the public hearing to open the 2021 Budget, seconded by Commissioner Payne, motion carried.

Chief Deputy Clerk, Amy Bishop, went over the few items needing adjustment, did very well overall, more changes are due to the grants and CARES Act money.

MOTION: Commissioner Jensen made a motion to leave the public hearing and go back to the regular meeting, seconded by Commissioner Payne, motion carried.

Commissioner Rasmussen inquired if there were any questions or comments, there being none, he wanted to clarify that none of the adjustments made will result in an increase in property taxes. Clerk Garner read Resolution #2022-02 in full.

MOTION: Commissioner Payne made a motion to accept and sign Resolution #2022-02, Increasing the Budget for Fiscal Year 2020-2021, seconded by Commissioner Jensen, motion carried.

EXECUTIVE SESSION – IDAHO CODE 74-206 (1)

MOTION: Commissioner Payne made a motion to leave the regular meeting and go into an executive session pursuant to Idaho Code #74-206 (1)

(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent, or public-school student, seconded by Commissioner Jensen.

Roll Call Vote: Commissioner Jensen – ‘I’, Commissioner Payne – ‘I’, Commissioner Rasmussen – ‘I’, voting was unanimous in the affirmative.

Let the records show that Sheriff Heslington, Judge Garbett, Judge Brown and Clerk Garner were in attendance.

Executive session began at 12:02 p.m. and the board left the executive session at 1:03 p.m. and back to regular meeting.

In order to keep the agenda on track, the Commissioners will go back into executive at the end of the meeting to finish discussion.

ALAN EBORN, EMERGENCY MANAGER – DAY WIRELESS

Alan Eborn, Emergency Manager, introduced Henry Johnson, Area Sales Manager, with Day Wireless, along with Lee Volbrecht, Chandler Quark and Dan Argyle, who provided a presentation on information showing options possible for the county if they went to a trunked repeater site. Discussion on different sites, Hell Hole is one area, but harder to get to the south end of the lake, Bern Hill covers pretty well, third image is Hell Hole and Bern Hill combined, pretty good coverage, but then lose some of the handheld coverage, especially on the west side of the valley. Important to look at how the sites work, coverage is never a perfect science, but try to get the maximum coverage we can get. Paris can be solar, does go out to the west, adding a Fish Haven site will show better coverage. Volbrecht reported all repeaters use M Hill and bounce, can talk out, but have to change channels. Eborn reported when 700

came online, they said it was another tool for the State to touch the State of Wyoming, we were a guest, would like to fill in some gaps and put the dollars to the best use. Commissioners inquired about annual costs, land or building lease, maintenance agreement, system upgrade. Volbrecht informed the Commission the basic would be about \$375,000 - \$500,000, but Day Wireless could not give a complete quote at this time for everything as it depends on site, equipment and other variables. The Commission appreciated the presentation and would like their report after they run the other map from the Paris area.

FAIR BOARD – LOST REVENUE

Wynn Olsen, Fair Board member, presented a spreadsheet showing the lost revenue due to Covid. Commissioner Payne would like to see net sales on the report.

CINDY TEUSCHER, JUSTIN HATCH – EXTENSION OFFICE – FUTURE PLANS

Cindy Teuscher, Extension Office employee and Justin Hatch, Interim Extension Agent, presented information for future plans regarding employees. Commissioner Rasmussen reported they run a great 4-H program.

Clerk Garner reminded the Commission of the previous presentation on the panic buttons and the UV Filter System to which they wished to hold off till the new budget year. There were a few housekeeping items also.

EXECUTIVE SESSION – IDAHO CODE 74-206 (1)

MOTION: Commissioner Jensen made a motion to leave the regular meeting and go back into an executive session pursuant to Idaho Code #74-206 (1)

(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent, or public-school student,

seconded by Commissioner Rasmussen.

Roll Call Vote: Commissioner Jensen – ‘I’, Commissioner Payne – ‘I’, Commissioner Rasmussen – ‘I’, voting was unanimous in the affirmative.

Let the records show that Prosecutor Joe Hayes and Clerk Garner were in attendance.

Executive session began at 2:18 p.m.

Board out of executive at 2:41, discussed a personnel issue and need more information.

MOTION: Commissioner Jensen made a motion to adjourn the meeting, seconded by Commissioner Payne, motion carried.

Meeting adjourned at 2:43 p.m.

VAUGHN N. RASMUSSEN, Chairman

Date Approved

ATTEST: _____

CINDY GARNER, Clerk