

The Board of Bear Lake County Commissioners met in their regular meeting on Monday, December 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, Prosecutor John Olson and The News-Examiner Reporter Daniel Bishop.

APPROVE AGENDA

Commissioner Jensen made a motion to approve the agenda with the addition of an airport letter on the AWOS, Judicial Confirmation meeting and setting date for the decision meeting, seconded by Commissioner Payne, motion carried.

ELECTED OFFICIALS MEETING/COMMITTEE ASSIGNMENTS

Sheriff Bart Heslington presented his report and stated they have been having issues with the ITD system being down for quite some time and those frustrations in not being able to issue driver's licenses. Heslington mentioned Deputy Lindsay was going strong with the school resource program and it was being well received.

Treasurer Tricia Poulsen stated that there was one occupancy that was not there yet, so it would need to be cancelled. Treasurer Poulsen mentioned that Michael McMillen bought a property that has a gutted out mobile home, was charged and paid full garbage fee, hadn't looked at the bill, it should be cancelled and there will not be any garbage pickup out there, also another taxpayer paid with the wrong check book, so received two return check fees and asked that the county reverse the \$20.00 on each of his two parcels. They have owned the property for many years and have always paid. The Commissioners thought they could split and take a total of \$20.00. Treasurer Poulsen also mentioned Gay Lloyd who would be calling later on behalf of her mother, LaRue H. Applonie, requesting penalty & interest be removed, so she would stay for that call. One more was Ryan Brock, who's occupancy tax was sent to a different address and did not know about the homeowner's exemption. She wondered about a hardship exemption.

Clerk Garner took care of some housekeeping items. Commissioner Rasmussen talked about the documents regarding the public hearing from Attorney Fuller.

WAYNE DAVIDSON – BUILDING INSPECTOR REPORT

As Wayne Davidson is out with a surgery, Clerk Garner presented his prepared reports and showed the updated changes to the proposed courthouse, adding the public defender office, taking out some corners, adding six hundred square feet. Wayne was also asking to set a hearing date to adopt portions the International Building Code that the state did not adopt. A county or city may amend the codes if they can show good cause, which he will attempt to do.

RYAN BROCK – HOMEOWNER'S EXEMPTION

Ryan Brock appeared stating they did not receive notice as it went to the wrong Utah address and did not know till they came in and had paid the full \$1,035.42. Commissioner Rasmussen stated they would take care of it after the last request and do the motion all at once.

Commissioner Payne stated that the Fair Board was looking at putting in a light, but it was too much money with Rocky Mountain Power wanting \$4,000.00, so trying to work with Rick Smith, grounds keeper to see if they could set a pole on the county side and the county would maintain it and put in a LED light to help save money. Commissioner Payne also talked with Chris Banks at the NRCS banquet and asked about help to sure up the ground in Dingle by the bridge as the river is moving the bend and they thought they would look into it. The Fuels Reduction Grant has been extended on the Paris Hollows project. They have been invited to an ITD meeting on January 8th on the wildlife killed on the highway near Rocky Point and concerns at the Dingle Pond. Commissioners will not be able to attend as it is their regular Commissioners meeting unless they would change it, Commissioner Payne will check. The Road and Bridge crew should be commended on all the work they have done down at the airport with the collapsed culverts, they worked long hours to get that all taken care of. It was nice to have Rocky Mountain Power, the irrigators and the county all working together to make that happen.

Commissioner Rasmussen attended the Board of Health meeting and Steve feels that Superintendent Esquibel is paying for himself as he is saving the county a ton of money on just the landfill issues. Steve had told him we should thank Scott because now when he comes to the Bear Lake County landfill he has no write-ups or violations.

PUBLIC HEARING – ORDINANCE 2018-02 – EXTEND SALE OF LIQUOR BY THE DRINK ON SUNDAY DEC.

31ST, 2017

Commissioner Payne made a motion to leave the regular meeting and go to a public hearing regarding extending the sale of liquor by the drink on Sunday, December 31, 2017, seconded by Commissioner Jensen, motion carried. There needed to be a correction also on the correct numbering of the ordinance as it should be 2018-02, not 2018-04 as noted on the agenda. In order for the New Year's celebration to happen, several of the businesses had requested being able to stay open till 2:00 a.m. in order to close the one hour prior to clean up and they did have designated drivers. Commissioner Jensen made a motion to leave the public hearing and go back to the regular meeting, seconded by Commissioner Payne, motion carried. Commissioner Jensen made a motion to approve Ordinance #2018-02 for extending the sale of liquor by the drink on Sunday, December 31, 2017, seconded by Commissioner Payne, motion carried. A complete copy of the ordinance can be obtained at the Clerk's office in Paris.

Commissioner Rasmussen mentioned the budget hearing for the Board of Health would be held in Bear Lake County this coming year. Commissioner Jensen attended the Tri-County Snowmobile meeting and the biggest issue is getting the snowmobiles registered. They talked about snowmobiles, but you have cross-county skiers, those snow shoeing and also the fat tire bikes and the user should help pay for the groomed trails. The trails are public property so pretty hard to restrict.

BOARD OF EQUALIZATION

Commissioner Payne made a motion to close the Board of Equalization as there were no applications filed, seconded by Commissioner Jensen, motion carried.

RON HARPER – ANNUAL REPORT – JUVENILE JUSTICE & MISDEMEANOR REPORTS

Ron Harper, Juvenile Probation Officer, was not present.

APPROVE MINUTES

Commissioner Jensen made a motion to approve the minutes, seconded by Commissioner Payne, motion carried.

APPROVE CLAIMS

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

AUDIT ENGAGEMENT LETTER

Commissioner Jensen made a motion to approve signing the audit engagement letter to have the auditors proceed with the full audit of the county financial records, seconded by Commissioner Payne, motion carried.

COUNTY VEHICLES – HOSPITAL, FAIR, FIRE, ETC.

Commissioners discussed that various vehicles licensed in the departments and entities in the county and would like a list of who has what titles, who should run 'C' plates and how they are listed for next month's meeting.

BEAR RIVER MOSQUITO ABATEMENT APPOINTMENT

Commissioner Payne made a motion to appoint Nina Nelson to the Bear River Mosquito Abatement Board for a term of three years, seconded by Commissioner Jensen, motion carried.

HISTORICAL SOCIETY BOARD

Commissioner Payne made a motion to appoint T. R. Smith to the Historical Society Board for a term of three years, seconded by Commissioner Jensen, motion carried.

The hospital had submitted a letter regarding their suggested appointments for the board members whose terms are up, Chairman Mary Bateman, Trustee Steve Allred and Mark Harris. Both Mary Bateman and Mark Harris have indicated the desire to continue to serve. Steve Allred has stated he is no longer wishes to serve after fifteen years of service. They recommend Craig Culver, who has been an ex-officio member, be appointed. With the departure of Barbara Hayes, they would also need to fill an ex-officio member position if the Commissioners do not appoint Craig Culver. The commissioners will review and take action at next month's meeting.

The Commissioners received a letter from the airport regarding the AWOS II, which is the All-Weather Instrument Flight and would like to go with AWOS III, which is a very beneficial upgrade and for a benefit cost analysis (BCA), they needed to get a letter to Mike Simpson, so they sent that letter to Mike Simpson, as it is a huge savings.

Commissioner Payne made a motion for a correction to leave the public hearing on October 10, 2017 on the Bailey Creek Subdivision, seconded by Commissioner Jensen, motion carried

Commissioner Jensen made a motion to support Bill Lasley from Power County with a vote for the Catastrophic Health Board, seconded by Commissioner Payne, motion carried.

MITCH POULSEN – COMPREHENSIVE PLAN UPDATE

Mitch Poulsen, Planning & Zoning Director, stated they would like to put some goals down as the Comprehensive Plan should be updated every five years, short term and long term plans. He would like to possibly having Bear River Association of Governments do some of the mapping, they produce really

nice maps with not the extreme cost. Commissioner Rasmussen asked Poulsen to get together a projected cost to do a new plan. Poulsen also suggested it may be a good idea to do the transportation plan also, maybe look over the airport plan, etc. Commissioner Rasmussen stated as they will be working on the land below the high water mark, it will be a good time to do this. Poulsen also wanted to show the Commissioners the trail plan that they are working on with the Forest Service in Rich County and would like to go into Idaho. There are lots of trails and if they had something that could show which trails you could go on rather than trespass, it would be helpful, possibly an app on your phone.

GAY LLOYD – TAX CANCELLATION REQUEST – FOR LARUE H. APPLONIE

Gay Lloyd appeared by phone and requested that the tax penalty and interest of her mother, LaRue H. Applonie's, property be taken off. The Commissioners let her know that they do not cancel penalty and interest unless undo circumstances, as in death or hardship issues.

Treasurer Tricia Poulsen stated she just had a call regarding the Chinese Restaurant which was sold and the new owners will have one commercial dumpster, emptied just once a week and would request a refund. Commissioner Jensen made a motion to refund \$736.00, seconded by Commissioner Payne, motion carried. Ryan Brock did not have the homeowner's exemption and Mike McMillan's garbage fee on the gutted out mobile home were the other two issues. Commissioner Payne made a motion to award the homeowner's exemption for Ryan Brock and take off \$1,035.42 and refund Mike McMillan's garbage fees of \$552.00 as it is a gutted out mobile home, seconded by Commissioner Jensen, motion carried.

DENNIS DUEHREN – RETIRING – INTRODUCE NEW RANGER

Dennis Duehren, Forest Service, stated he is retiring and introduced Bryan Fuell is the District Ranger in Soda Springs, who will fill in for him till they get a replacement. The Commissioners expressed appreciation for Duehren and the working relationship he has had with the county over the years and know it will be the same as it has been.

BRYCE PETERSON – US FOREST SERVICE & SCENIC CANYONS GARBAGE COLLECTION

Bryce Peterson as manager of the US Forest Service and Scenic Canyons, along with Craig Hayes, would like to possibly have the dumpsters brought up and would pay as their private trailers are now not allowed. Peterson discussed St. Charles and Emigration needs, the Paris and Summit View they feel they can take care of. Peterson presented some of the figures of how many visitors are in the campgrounds and the canyons. They have had several trailers at the various campgrounds and do take to the landfill. The Commissioners will have to review, possibly look at a contract, but it will be addressed at their January meeting.

Clerk Garner took care of a few more housekeeping items

PUBLIC COMMENTS

There were no public comments.

EXECUTIVE SESSION – INDIGENT, PERSONNEL & LEGAL

Commissioner Jensen made a motion to leave the regular meeting and go into an executive session pursuant to Idaho Code #74-206 (b,d,f), seconded by Commissioner Payne. All Commissioners stated "I" in a roll call vote. Also invited to stay were Prosecutor John Olson, Superintendent Scott Esquibel, Carrie Hemmert, Sheriff Bart Heslington, Deputy Clerk Mindy Williamson and Clerk Cindy Garner.

Commissioner Payne made a motion to leave the executive session and go back to the regular session,

seconded by Commissioner Jensen, motion carried. They discussed personnel, had no indigent, and some legal matters that were discussed with the Prosecutor.

COUNTY HOLIDAY CALENDAR 2018

Commissioner Payne made a motion to accept the holidays as set on the calendar, which are the same as last year, seconded by Commissioner Jensen, motion carried.

SCOTT ESQUIBEL – COUNTY SUPERINTENDENT

Superintendent Esquibel presented his Road & Bridge report and showed the graphs on the new speed signs that had been put up. He has been working with FEMA in applying for flood relief funding on six approved roads, the State has reimbursed Bear Lake County \$241,278.76 which is 25% estimated total cost from flood damage on county roads. They have been busy with repairing equipment and putting up snow fences for winter, reviewed the county roads for snow removal. They have had extra work with collapsed culverts and other road repairs. He also presented his Landfill report. Idaho Public Health Department conducted a Landfill inspection, which resulted in no citations. They continue to struggle in keeping the two older 2003 & 2005 garbage trucks going. Cost to replace is over \$300,000, need to continue to allocate funds each year for future replacement. Commissioners would also like Esquibel to put together a formula for cost to run the landfill by March. Esquibel also stated that Mitch Poulsen said he may be able to find some grant money for the river bank that is washing out in Dingle by Parsons. There are two roads in Dingle that need to be corrected as there is confusion if they are county roads. The maps are conflicting so they just need to be corrected. As the map is a living map, we can correct as we go. He has Todd working on that and will continue to keep it updated. Geneva Road they did do maintenance years ago when Chuck Otter was there, however the fences are right on the road. Carson Price was at last month's meeting and thought it was not a county road. Wayne had researched and couldn't see any easement on it.

Commissioner Rasmussen stated they had received a letter from the Assistant U.S. Attorney, Christine England, regarding her visit of the courthouse on ADA compliance review and stated you can't enter, move through the offices or get to a restroom. She stated we have an option to voluntarily agree to take care and update the courthouse or the U.S. Department of Justice will get involved.

Commissioner Payne made a motion to adjourn the meeting, seconded by Commissioner Jensen, motion carried. Meeting adjourned at 2:20 p.m.