

BEAR LAKE COUNTY COMMISSIONERS' SPECIAL MEETING

MAY 24, 2019

SCHOOL DISTRICT #33 BOARD ROOM

The Board of Bear Lake County Commissioners met in a special meeting on Friday, May 24, 2019, at 2:00 p.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 Clerk of the Board, Cindy Garner.

Others attending were County Prosecutor Adam McKenzie, Sheriff Bart Heslington, Assessor Heber Dunford, Fire Chief Mark Parker, Building Inspector Wayne Davidson, Dave Cottle with Bear Lake Watch, Brian Hirschi, Bill Stock and numerous other interested parties.

APPROVE AGENDA

MOTION: Commissioner Payne made a motion to approve the agenda with the amendment of adding one item at the end of the agenda, with Roy Bunderson as Chair on a Committee for Relicted Land and State Land Below the High Water Mark, seconded by Commissioner Jensen, motion carried.

CANVASS MAY 21, 2019 SCHOOL LEVY ELECTION

Commissioner Rasmussen stated the school levy passed by 66% and read the certification of the election.

MOTION: Commissioner Payne made a motion to accept the May 21, 2019 School District #33 Levy Election results, seconded by Commissioner Jensen, motion carried.

MITCH POULSEN – PLANNING & ZONING ADMINISTRATOR – RECOMMENDATION – BRIAN HIRSCHI REZONE REQUEST

Planning and Zoning Administrator, Mitch Poulsen, presented some background and the recommendation from the board for the Brian Hirschi rezone request. Hirschi's property is about a half mile from the former Bear Lake Hot Springs, where he did his business from previous years. It is now under new ownership and Hirschi has purchased a property and would like to have it rezoned so he can run his business there. Poulsen stated the Planning and Zoning board had the first hearing on the rezone and conditions, they had a second hearing as there was a change in the conditions. They had much deliberation over the conditions with a possibility of even denying, but in the end the application was approved with one (1) abstaining. As the Commissioners looked over the conditions and had some questions and with much interest in this matter, they felt it would be in the best interest of the County to hold a public hearing.

MOTION: Commissioner Payne made a motion to set a public hearing date for the Brian Hirschi rezone on June 24, 2019 at 6:00 p.m. at the School District #33 Board Room in Paris, seconded by Commissioner Payne, motion carried.

Commissioner Rasmussen did state that Hirschi could not open for business until the rezone is approved. It was decided the Commission would hold a work meeting on Wednesday, May 29, 2019 at 3:00 p.m. in the School District #33 Board Room in Paris, in preparation for the public hearing.

RESOLUTION – FINALIZE VACATION OF STAG CIRCLE AND CROW CIRCLE ROADS

Commissioner Rasmussen stated the Stag Circle and Crow Circle Roads had been vacated in 2017, however, the resolution had not been processed and recorded to finalize the procedure. Commissioner Rasmussen asked Clerk Garner to read Resolution #2019-08, Resolution to Vacate Stag Circle and Crow Circle Roads, Bailey Creek Subdivision in full.

MOTION: Commissioner Jensen made a motion to approve Resolution #2019-08, Resolution to Vacate Stag Circle and Crow Circle Roads, Bailey Creek Subdivision, seconded by Commissioner Payne, motion carried.

CHAD KEETCH – RIGHT OF WAY AGREEMENT

Chad Keetch, with his father, Paul Dennis Keetch came to obtain the Right of Way Agreement from the County for an easement to put an underground power line in the same easement from the County as the water line which was done years ago. Commissioner Rasmussen read the Right of Way Agreement.

MOTION: Commissioner Payne made a motion to approve the Right of Way Agreements for Paul Dennis Keetch, seconded by Commissioner Jensen, motion carried.

COMMITTEE – RELICTED LANDS AND BELOW THE HIGH-WATER MARK

Commissioner Rasmussen stated the need for some time to form a committee to address the relicted land and state land around Bear Lake and the need to be proactive in managing it. Commissioners asked Roy Bunderson to be the Chairman and he has been looking at what others have done in similar situations and along with control comes enforcement. The issue we have at hand is creating a policy and procedure that we can deal with for the administration of the relicted lands, which is basically lands that have been exposed through lowering the natural water level. The maximum level is 5923.65. If you have a contiguous line that goes back in behind that is lower, the State Lands is claiming that land. The state would like something done and through the County, but would not provide any funding. Bunderson would like input and suggestions. It was decided to have a general information meeting and hope to have representatives from Department of Lands, Sheriff, Fire Marshall, Department of Water Resources, State Parks and Recreation, Department of Ag, someone from the Commission and some interested landowners. Commissioners and Bunderson would like to start small and take the time to do it right and be more productive. It would be useful to have advisory groups. Bunderson stated the need to figure more clearly what lands they will be working with. Verl Jarvey, State Fire Marshall, was present with Bear Lake County Fire Marshall, Mark Parker, and was pleased to see this committee move forward and is here to help support the County. Commissioners stated their appreciation to Mr. Bunderson for chairing this committee on this very important matter. The Commission set a date for a General Information Meeting to gather input for the administration of the relicted lands around Bear Lake on Friday, June 28, 2019 at 7:00 p.m. at the Oregon Trail Center.

Commissioner Payne gave an update on the new courthouse, mentioning going through a judicial confirmation, the County borrowed three (3) million and the legislators worked hard to get a bill passed to help levy taxes. The new building has to meet all ADA requirements, the basement section has been dug, the plumbing, piping, electrical work coming to the building has been done, hope to pour concrete, however with all the rain, it has been delayed a bit. It was asked what was going to be done with the old courthouse. Commissioners stated the need to use the building until the next one is built. If there is a

committee who can come back with a plan or proposal that would not use taxpayer dollars, they would look at it.

Clerk Garner reminded the Commission of the required Board of Equalization meeting on the fourth Monday in June, so it was set for June 24th at 4:00 p.m. at the School District #33 Board Room which will be followed by the public hearing at 6:00 p.m.

MOTION: Commissioner Jensen made a motion to adjourn the meeting, seconded by Commissioner Payne, motion carried. Meeting adjourned at 3:47 p.m.