

The Board of Bear Lake County Commissioners met in their regular meeting on March 13, 2017 at 9:00 a.m. in the School District #33 Board Room in Paris, Idaho. Members present were Chairman Vaughn N. Rasmussen, Bradley D. Jensen, Rex L. Payne and Clerk of the Board, Cindy Garner.

Also attending were Treasurer Tricia Poulsen, Sheriff Bart Heslington, Chief Deputy Sheriff Gregg Knutti, Wayne Davidson, Building Inspector, Jean Alleman and Daniel Bishop, Report for The News-Examiner.

APPROVAL OF AGENDA

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

ELECTED OFFICIALS MEETING/COMMITTEE ASSIGNMENTS

Clerk Garner presented the Commissioners with the heavy equipment lease schedule as requested from the previous meeting.

Chairman Rasmussen reported that the lake is expected to be within a foot and a half of the high water mark, rising nine or ten feet, which may help with the lake issues this summer.

Sheriff Bart Heslington presented his monthly report and stated that the Search & Rescue team has been busy. Sheriff Heslington stated he had not heard of any rate increases for jail housing from the Caribou County Jail. He also stated that the kayaker that was lost on Bear Lake on March 11th had been found at 1:00 a.m. They had crews on land & in the water with a helicopter ready if needed. The Sheriff also mentioned the generator situation, stating when the power went out recently the back-up generator did not work properly and took out their computer system again. With approval of the Commissioners, he will look into other options. He stated the repair bill was over \$2,000 and will check with ICRMP to see if it may be covered to help with the expense.

Commissioner Jensen reported a road on the east side of the lake had washed out and the Road & Bridge crew had repaired the damage. The mud situation at the landfill is getting very bad. As soon as it gets dry enough they will do some gravel work around the scales and the parking area.

Commissioner Payne stated how soft the road was on the east side. He asked the Clerk to check on the Airport committee assignments. We are submitting airport hay bids for Farm 1186 & Farm 2147. The fair will be hiring a secretary just for the month of August and the maintenance person will be hired for six months. He also stated that the State voted to increase the budget for the defense of quagga mussels, which will allow for the check station to be better manned. Commissioner Payne also mentioned that the sand and sandbag supply is getting low and they were going to get more. Chairman Rasmussen said that Monsanto had volunteered two truckloads of sand that we could pick up.

Chairman Rasmussen stated there was possible grant money to help with paving the road to the airport. He also mentioned the director of the Bear Lake Convention and Visitor's Bureau has resigned. The past director will help out until they can hire a new director. The Idaho Public Health Department may have

changes in the budget, which could affect local departments with a decrease of budget. Several counties are fighting to stop it.

BUILDING INSPECTOR REPORT

Wayne Davidson, Building Inspector presented his monthly report. There were only a few permits different than last month but some others are in the works.

PURCHASING AND CONTRACTS

Chairman Rasmussen stated it would be good to have a county policy for purchasing and contracts to help things go smoothly.

COUNTY SUPERVISOR/PLANNER

Chairman Rasmussen mentioned the county has hired a new county supervisor/planner. The position will be filled by Scott Esquibel. Rasmussen also wanted to clarify that this is not a supervisor for the Road and Bridge but a county-wide supervisor who will be able to assist all departments however needed. Commissioner Jensen felt Scott will be a great asset to the county as he brings with him valuable experience in many areas to benefit the whole county. There was a three month delay related to his former employer, but he will start April 3rd.

ELECTION-CANVASS VOTES-SPECIAL MEETING DATE

The Commissioners scheduled a special meeting to canvass the votes from the school levy election on March 21, 2017 at 3:00 p.m. as there is a deadline in which it has to take place.

AUSTIN ATHAY – CANCELLATION TAX PENALTY/INTEREST

Treasurer Tricia Poulsen presented a cancellation of penalty and interest for properties owned by Austin Athay. Commissioner Jensen made a motion to cancel the penalty and interest from the previous owner on the Athay property and also approve the cancellation of additional taxes for Craig Forsberg's property as was discussed last month, Commissioner Rasmussen seconded the motion, motion carried. Commissioner Payne abstained.

SERVICE PROVIDER AGREEMENT (Behavioral Health Center)

Commissioner Payne made a motion to approve a one-year service provider agreement for Behavioral Health Services with Eastern Idaho Regional Medical Center, seconded by Commissioner Jensen, motion carried.

DONATIONS

Chairman Rasmussen discussed the county donation policy. In the past, the county had donated up to \$100,000 per year to various organizations, which the county really could not afford. All donations were cut off several years ago. The Commissioners believe it may be time to look at it on a case by case basis.

It was brought up by a request for a Splash Pad in Caribou County, Commissioner's decided not to donate to that project.

BID OPENING – FUEL

Commissioners opened the two fuel bids that were presented, one from Pilot Thomas Logistics, the other Keller Strauss. Commissioner Jensen made a motion to accept the lower bid for bulk and the key card fuel, Gas 1 – \$2.1619 gal., diesel - \$2.1046, gal., bulk - \$2.0407 from Keller Strauss, seconded by Commissioner Payne, motion carried. The Commissioners decided to hold off on accepting bids for the bulk oil & grease pending further review. Both bids can be reviewed at the clerk's office.

MITCH POULSEN – P & Z RECOMMENDATION ON TREVOR NEAL REZONE

Mitch Poulsen, Planning & Zoning Director presented a rezone application from Trevor Neal to build a home. Planning & Zoning Board recommended rezoning five acres of a 75 acre ag property for a residential home. They held a public hearing, the Planning & Zoning Board voted unanimously in favor of the rezone. Commissioner Jensen made a motion to accept the recommendation from Planning & Zoning and approve the rezone for Trevor Neal, seconded by Commissioner Payne, motion carried.

BID OPENING – SHERIFF VEHICLE

Commissioners opened the two bids for a new sheriff's vehicle from Bear Lake Motor and Jensen-Wood Motor. Commissioner Payne made a motion to accept the lower bid from Jensen-Wood Motor for \$29,155.00 for the new sheriff's vehicle based upon the sheriff's review, seconded by Commissioner Jensen, motion carried. Both bids can be reviewed at the clerk's office.

ALAN EBORN – EMERGENCY MANAGEMENT DIRECTOR-FLOODING UPDATE

Alan Eborn, EM Director, reported on the flood conditions for the Bear Lake area. He stated with a disaster declaration there will be a lot of extra work, especially for the clerk's office. All man hours need to be tracked separately, need pictures, cost of emergency repairs and documentation on equipment, etc. Eborn talked about FEMA and also State funding possibly being available, if we declare. Insurance is first, there is not free money. They have issued about 30,000 sandbags to help with just the snowmelt. Chairman Rasmussen stated that Monsanto has donated 2 truckloads of sand and he let Road & Bridge Supervisor Greg Skinner know he just needed to go get it, they would load it. Commissioner Jensen stated we do have roads falling apart. Eborn also had with him Travis Wyatt and Kurt Buffalo from the National Weather Service. They stated there is more snow this year than in 2011 and the projected warmer temperatures will bring a rapid thaw. There will be flooding in many parts of the valley. It is advised that those in the flood areas prepare with the sandbags or other precautions.

BILL STOCK – PLANNING & ZONING/LAND USE

Bill Stock addressed the Commissioners on concerns with Planning & Zoning and the Land Use Ordinance. He stated that the information online is not updated and no minutes have been posted for

the 2016 year. He also mentioned the sunset clause on the overlay zones expired as of March 10. He suggested that the new county planner could help fix these issues.

LISA TRANSTRUM-SOIL & WATER CONSERVATION DISTRICT BOARD – COORDINATION

Lisa Transtrum and the Soil & Water Conservation District Board discussed with the Commissioners they would like to coordinate more. James Hardcastle, Chairperson Jennifer Jenson and Devin Boehme were also in attendance. They asked Commissioner Payne to get a landowner map. Jennifer Jenson stated they would like to create a cooperative group for the development of ag land and would like to coordinate with everyone and work together. The Commissioners agreed that cooperation is important and stated there was an opening on the Planning & Zoning Board and if one of their members would like to be more involved, they could be nominated to fill that seat. Hardcastle mentioned the five year plan will be coming up.

COURTHOUSE OPTIONS

Chairman Rasmussen stated that a bond to build a new courthouse received a majority vote three times, but did not receive the super majority required by statute. After review options, including remodeling, moving to the old helmet factory and even moving the county seat to Montpelier, it was determined that the best solution still would be to build a new courthouse. They suggested moving forward with a judicial confirmation to have the courts order the bond. It was stated that the minority of the valley was holding up the majority's wishes. Many in attendance voiced their agreement with the Commissioners, including Bill Stock and Roy Bunderson. Bunderson would like to go on record as a concerned larger taxpayer that he is in favor of a new courthouse and would like the Commissioners to move forward and not tomorrow but today. Commissioner Jensen made a motion to move forward with the judicial confirmation on the courthouse, seconded by Commissioner Payne, motion carried.

SUZANNE JOHNSON, RETIRING TCA – INTRODUCTION OF KERRY HONG (PUBLIC COMMENTS)

Suzanne Johnson, Trial Court Administrator, after 38 years of service for the Sixth Judicial Court System, will be retiring and wanted to introduce her replacement, Kerry Hong. Kerry will be an asset to the judicial system and he is excited to work with the Judge Garbett and the court clerks. The Commissioners wished Suzanne well in her retirement and appreciated all she had done. They appreciated that she was being replaced by someone so qualified.

EXECUTIVE SESSION – PERSONNEL, INDIGENT AND 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) regarding personnel, indigent and legal, seconded by Commissioner Payne. All Commissioners voted 'Yes' in a roll call vote.

BLAINE NEWMAN – BLM UPDATE

Blaine Newman and Mike Kuyper updated the Commissioners on BLM property. They are concerned about the runoff this year. They are working with a fuel reduction project on Loveland Land with the

Forest Service and Soil and Water Conservation District. They will be performing a land health assessment over the next two years as well as a water inventory along the Bear River this summer. They are looking for housing for the seasonal crew of six that will be here if anyone could help out possibly the first of June. There is a possibility of using drones as they will be crossing a lot of properties. The permittees will receive a letter so they know what is going on. The Commissioners asked Newman to look into a land-locked BLM property which is close to a road the county wishes to vacate. They will receive a letter from the county also and would appreciate any feedback if there is an issue.

JOE COLES – BEAR LAKE TRIATHLON

Joe Coles, Director of the Bear Lake Triathlon presented the Commissioners with a proposal to move the triathlon from the south end of the lake to the north end of the lake, using the Bear Lake Hot Springs as a base. He informed the Commissioners of the proposed routes and talked about how this race should not impact traffic because it is after Labor Day and the race has rules set up to prevent roads from being blocked. The two dates that would be impacted are September 9 and 15. The Commissioners said they did not see too many problems with the proposal and asked Coles to coordinate with Mitch Poulsen.

DENNIS DUEHREN – SCHEDULE A LIST OF CO-MANAGED ROADS

Dennis Duehren of the Forest Service presented the Commissioners with a list of possible roads to be improved with stimulus money. The list was prioritized according to need and cost. Commissioner Jensen made a motion based upon the recommendation of the Forest Service regarding roads in Bear Lake County to be improved on per list and monies available, seconded by Commissioner Payne, motion carried.

BIG BASIN ROAD – FISH & GAME

Chairman Rasmussen had a call from the Fish & Game and asked that the county close the Big Basin Road by the gas plant because of the deer and elk, but it is highly used and a main access so it would be hard to close. He had suggested they attend the meeting, however, no one appeared.

Chairman Rasmussen stated they had a conference call which will be in executive but they will be discussing the high water mark of the lake.

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 (f) to discuss a legal matter, seconded by Commissioner Jensen. Roll call vote was taken, with each Commissioner stating "Here". Also invited to attend were Sheriff Bart Heslington, Attorney John Olson and Clerk Cindy Garner.

KEG ORDINANCE

After discussion from Sheriff Bart Heslington and the Commissioners, Attorney John Olson will make the necessary changes. Commissioner Jensen made a motion to have the attorney move ahead and get the keg ordinance changed as agreed, seconded by Commissioner Payne, motion carried.

APPROVE MINUTES/CLAIMS

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

PROPANE BID

Commissioners reviewed the proposed propane bid. Commissioner Payne made a motion to approve the propane bid for publication, seconded by Commissioner Jensen, motion carried.

BOAT SAFETY GRANT

Chairman Rasmussen stated this is the grant between State Parks & Recreation and Bear Lake County, which the county helps to split the cost with a 50/50 match. This helps with law enforcement, which would be the marine deputy. Commissioner Payne made a motion to approve signing the Boat Safety Grant, seconded by Commissioner Jensen, motion carried.

ITC GRANT AGREEMENT

Chairman Rasmussen stated this is money that was discussed with the Bear Lake Regional Commission, the county's match would be \$5,375.00. It was signed as it had to be in by an earlier deadline date so needs to be ratified. Commissioner Payne made a motion to ratify the Idaho Travel & Convention Grant Agreement, seconded by Commissioner Jensen, motion carried.

HAY BID NOTICE

Commissioners looked over the hay bid notice for publication. Commissioner Jensen made a motion to approve the hay bid notice for Farm 1186 and Farm 2147 for publication, seconded by Commissioner Payne, motion carried.

A couple of items came out of the executive session. There were several Certificates of Residency that needed approval for a signature. Commissioner Payne made a motion to approve the Certificates of Residency for college courses, seconded by Commissioner Jensen, motion carried.

Commissioner Jensen made a motion to amend Medical Claim #2017-06 for missing data, seconded by Commissioner Payne, motion carried.

VACATING A ROAD PROCESS

Attorney John Olson stated letters notifying the adjacent landowners thirty days before the hearing would be needed, so they will schedule a public hearing on April 17, 2017 at 9:30 a.m. in the School District Board Room in Paris, Idaho.

Commissioner Payne made a motion to adjourn the meeting, seconded by Commissioner Jensen, motion carried. Meeting adjourned at 3:21 p.m.