BEAR LAKE COUNTY COMMISSIONERS' MEETING

OCTOBER 12, 2021

COMMISSIONERS' CHAMBERS – PARIS, IDAHO

The Board of Bear Lake County Commissioners met in their regular meeting on Tuesday, October 12, 2021 at 9:00 a.m., in the Commissioners' Chambers, following the CDC's safe distancing guidelines and Governor's order, 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 Assessor Heber Dunford, Chief Deputy Sheriff, Micah Rigby, citizen Edwin Izatt and Kathi Izatt, reporter for The News-Examiner.

APPROVE AGENDA – ACTION ITEM

MOTION: Commissioner Payne made a motion to approve the agenda as posted for October 12, 2021, seconded by Commissioner Rasmussen, motion carried.

ELECTED OFFICIALS UPDATES/COMMITTEE ASSIGNMENTS

Assessor Heber Dunford presented the Commission a report for each area of his department with information about the DMV, the State is now taking over the mail-in and online registrations, not seeing much difference yet. Mapping and deeds process is going well with the training process. Appraisal department is working on the new construction and occupancy parcels along with the market study reappraisal commitments. Checking with other counties on contractors to help with appraisal work. Have been contacted by the State Board of Tax Appeals about the Craig Forsberg appeal scheduled on December 1st.

Commissioner Jensen met with Renee Richardson from Senator Risch's office and Carter Harris from Congressman Simpson's office and they took a drive and looked at the East Shore Road and depending on stimulus money, may have some ideas. The Dingle Cemetery Road, went with Gregg and it falls under the overlay zone, but does not meet the Planning and Zoning rules, but is an opportunity for single dwelling homes and is now used just to access a citizen's property. Commissioner Rasmussen inquired about Bennington Canyon as they need to re-work a water line and would need some gravel and grading.

Commissioner Rasmussen met with Attorney Adam McKenzie on Fossil Canyon Road, in looking more into it, may be working with the wrong person, spoke with Craig Shuler and he will work to help find out the other landowner. May be a landowner matter, not the county. Reported on the Gem Plan and ICRMP meetings, both are going good. Went to the IAC meetings in Boise along with Assessor Dunford, Sheriff Heslington, Clerk Garner and Chief Deputy Clerk, Amy Bishop. They were good meetings, there was lots of talk about the stimulus money, but the final regulations are not out. Some things are black and white, but IAC's Seth Grigg suggests waiting till the final regulations are out. Will discuss at the 4-County meeting tomorrow at Franklin County. Attended two (2) Board of Health meetings, the cases are coming back down, but may be another wave. Portneuf and Bingham hospitals are not doing any extra surgeries at this time.

Commissioner Payne reported on a letter they all received requesting paving at the Fairgrounds to help those in wheelchairs or using walkers to be able to get around better during the Fair. Commissioner Rasmussen had looked at it and as getting several requests, would like to see something done. Commissioner Payne informed the Commission it was the best attended Fair in years. Also reported the sale of the 4-H calves, lambs and pigs totaled to $270,840. Handed out a paper on State right of way issues that may help in the future. Had a call from Brent Martinsen, Bailey Creek resident, culverts were not put in and it is washing out and had filled his property with about four (4) wheel barrels of gravel. Commissioner Payne reported to the Treasurer about the need to have the leaves and any other debris cleaned off the roof to prevent any leaks. Also, the drip system should be drained, furnace filters changed, maybe use the HIPPA filters for purified air.

Chief Deputy Sheriff, Micah Rigby, presented the Sheriff's office report, getting going on the lease program, bid process is going out now, behind because of Covid. They will be hiring a new dispatcher, interviews are Friday. Commissioners urged Rigby to express their appreciation to all the other deputies for the work they execute throughout the County.

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 August 9, September 13, 22 and October 4, 2021, seconded by Commissioner Rasmussen, Commissioner Payne approved all but September 13 as he was out of the county, motion carried.

ANNUAL (CAI) COMPUTER ARTS INC. AGREEMENT, SOFTWARE and SUPPORT LICENSE

Clerk Garner presented the Annual CAI Agreement, Software and Support License, reporting there was a charge added in of a Financial Odyssey Court Interface, which had not been requested and in checking with other counties, not working efficiently at this time. Clerk Garner deducted that amount from the contract.

MOTION: Commissioner Payne made a motion to accept and sign the Computer Arts, Inc. Annual Agreement, Software and Support License, with the changes and based on review from the Prosecutor, seconded by Commissioner Jensen, motion carried.

STATE PARKS – RAISE FEES

There was discussion on needing to raise the fees at the State Park.

CERTIFICATE of RESIDENCY

MOTION: Commissioner Payne made a motion to approve the Certificate of Residency of Joshlyn Skinner for CSI (College of Southern Idaho), seconded by Commissioner Jensen, motion carried.

BOUNDARY LINE AGREEMENT – ALLINGER PARK

The property being discussed by had shared boundary lines that are off a bit, no one loses property between Bear Lake County and private property. After a survey, they produced an agreement that the fence line did not constitute boundary lines.

MOTION: Commissioner Jensen made a motion to approve and sign the agreement of the property division line, with review of the Prosecutor, seconded by Commissioner Payne, motion carried.

Commissioner Rasmussen attended the Redistricting meeting and all of the four (4) counties testified wanting it to stay as it is. Senator Harris and Representative Gibbs and several others wanted it left as well. If they change as proposed, our counties would not get the representation we have had in the past.

PRECINCT BOUNDARY CHANGES – FINAL

Clerk Garner reported to the Commission they would like to change the precinct boundaries along with the Commissioner Districts, as they are required to be reviewed pursuant to Idaho Code #31-704, so they are nearly equal in population. With the new census figures, it was requested to go over all the totals and address it at a later time.

IDAHO AIRPORT AID PROGRAM – GRANT AGREEMENT and RESOLUTION

Commissioner Payne reported this grant agreement and resolution is regarding the snowplow blade used to maintain the runways. Commissioner Rasmussen read Resolution #2021-06 in full.

MOTION: Commissioner Payne made a motion to accept and sign the Idaho Airport Aid Program Grant Agreement F228U36 and Resolution #2022-02, seconded by Commissioner Jensen, motion carried.

Commissioner Payne followed up reporting they will be looking at bids, the goal is to continue looking at becoming a regional airport. The Airport Board is made up of very experienced and knowledgeable members that are a real benefit to the success of the Bear Lake County Airport. Some locals are wanting to build and buy hangers out there also.

WAYNE DAVIDSON – BUILDING INSPECTOR REPORT

Building Inspector, Wayne Davidson, reported there were six (6) more new buildings since last meeting, people are very creative to make things work out and more living off grid. Lots of changes with so many working from home, more are coming, some cities are struggling with growth and may need to stop the growth as their infrastructure cannot support it. People are moving into homes with problems like mold, etc., cannot find places to rent, the supplies keep changing on what is available at certain times. Davidson did not agree with the wooden office signs that were put up in the hallway.

JOHNATHAN BRADSHAW – M2 AUTOMATION PRESENTATION – ACTION ITEM

Johnathan Bradshaw attended the meeting to give the Commission a M2 Automation presentation regarding panic buttons and security cameras. Commissioner Payne informed Bradshaw as it was a new building, we did have 35 cameras and okay for now. Commissioner Rasmussen inquired how it would work if there was a power outage and no internet, would they still work, Bradshaw was not sure and

would check. Commissioners will have another elected officials meeting in the future to discuss and the Sheriff or Clerk will contact him.

MITCH POULSEN – PLANNING and ZONING ADMINISTRATOR – RECOMMENDATION on STUART CRANE REZONE and FINAL PLAT-THE KNOLL at the RESERVE – ACTION ITEM

Mitch Poulsen, Planning and Zoning Administrator, gave information regarding the Stuart Crane rezone for a lot split, there was no opposition and the Planning and Zoning Board recommended approval.

MOTION: Commissioner Jensen made a motion to accept the Planning and Zoning Board's recommendation to approve the rezone for the lot split for Stuart Crane, seconded by Commissioner Payne, motion carried.

Poulsen informed the Commission of the request for the final plat for The Knoll at The Reserve Subdivision, the county engineer approved and they already have maintained road by The Reserve.

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

Poulsen mentioned there is a software program by Aeonai which Rich County and others are using that Bear Lake County might be interested in. Commissioners will welcome a presentation at the November meeting and will review it online at www.aeonai.com prior to the meeting.

BRAD BUGGER – COMMITTEE – BEAR LAKE WEST ACCESS ROADS – ACTION ITEM

Brad Bugger communicated by telephone with the Commission again as requested and was looking for the approval to put together a committee to move forward on getting the critical matter of access roads out of Bear Lake West. Discussion on how many and who to be on the committee and explore how to make it happen. It was suggested to include a commissioner, Road and Bridge, someone from the Homeowner's Association and Property Owner's Association, Fire and Emergency Departments. Look at long and short term solutions. It was suggested that Bugger be the chairman and Commissioner Jensen be involved to put a committee together and they will give an update at the November meeting.

MOTION: Commissioner Jensen made a motion to have Brad Bugger to act as chairman and Commissioner Jensen put together a committee to work on the egress and ingress in the Bear Lake West area, seconded by Commissioner Payne, motion carried.

PUBLIC COMMENTS

Ed Izatt mentioned the access road spoke about earlier and it was to be put in years ago, got taken out and needs to go back in for a second egress. They are up there a lot with the fire department. Izatt wanted to reference the Ambulance Service and the ARPA funds. Commissioner Rasmussen informed Izatt of the list presented previously and all but three (3) of the ten items were approved. Izatt gave information on the other items needed as LifePaks and a Quick Response Unit. Commissioner Rasmussen noted that Bear Lake County's Ambulance Service is the only volunteer service in the State at this time. Izatt added that it was the first in the state and are down to 26 EMT's and are holding open houses to attract trainees for a class beginning in January.

SCOTT ESQUIBEL – COUNTY SUPERINTENDENT

County Superintendent, Scott Esquibel reported to the Commission they had been grading county roads, removed beaver dams, cleaned up and replaced culverts, issued encroachment permits and inspections when complete. Attended the 5-County Coalition Transportation meeting, next meeting will be January 6, 2022 in Soda Springs, 10:00 a.m. at the Fire Station. They discussed the Jericho Loop Bridge project, working on getting bids for the construction part, still on target to replace bridge by next fall. Dingle to North Beach Road has Keller Engineering working with Fish and Game. Commissioners reported our legislators will support and help work on it. Bear Hollow Road up to Hell Hole has been worked on, may have to do more follow up next Spring. Dingle – East Shore Road is looking at moving forward, behind a year with issues with Fish and Wildlife.

NATHAN CLEAVER – KELLER ASSOCIATES – DINGLE EAST SHORE ROADWAY IMPROVEMENT – ACTION ITEM

Nathan Cleaver with Keller Associates joined by Zoom to discuss the Dingle – East Shore Roadway Improvement project. For about a year and a half have tried to get approval from the Wildlife Refuge to construct the Dingle Road that crosses a section of land on Merkle Lake and further to the south about a mile and a half to North Beach Road at the intersection. They have to do an environmental review and who has ownership of the road. Utah did research on the roads, any road that crossed public land and had documentation, written testimony, mapping prior to the statute showing the road was a publicly accessed road. Arial maps documented road back as early as 1909, comes up again in 1961 update, prove it has been a public road, accessed it and is county's road. Get it recorded and present to the Wildlife Refuge. The design is fairly close, gone through preliminary design, need the whole project. This will allow the full environmental documentation to be done and then they can move forward and can be ready to bid October 2023. This is a little different than a RS-2477 road as this goes over public lands, not private.

MOTION: Commissioner Jensen made a motion to approve and sign the Acknowledgment and Notice of Acknowledgment of Acceptance of RS 2477 Right of Way Grant, seconded by Commissioner Payne, motion carried.

EXECUTIVE SESSION – IDAHO CODE 74-206 (1)

MOTION: Commissioner Jensen 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.

(d) 'To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code'.

seconded by Commissioner Payne.

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

Let the records show that Deputy Clerk Jamie Humpherys and Clerk Garner were in attendance.

Executive session began at 11: a.m. and the board left the executive session at 1:05 p.m. and back to regular meeting.

Discussed in executive were medical lien releases that were paid off, did discuss an employee issue, but needed some more information.

MOTION: Commissioner Jensen made a motion to authorize Commissioner Rasmussen to sign and release the paid off Medical Indigent Liens, #2010-02 and 2009-35A, seconded by Commissioner Rasmussen, motion carried.

ALAN EBORN – EMERGENCY MANAGER – ARPA FUNDS – ACTION ITEM

Alan Eborn, Emergency Manager, met with the Commission regarding requested items with the ARPA funds, explaining the CERT classes would be the $60 bags, which includes a hardhat, vest, gloves, some of the items needed for the classes. Does not include a First Aid Kit. Eborn would have room for about 25 to 30 cots, etc. at the E.O.C. Eborn requested a cellular phone for the E.O.C. in an emergency, would like one (1) satellite for the State cellular. Eborn reported the hazard mitigation plan is due this year, highly likely to be awarded and would need grant match funds of about $5,000.00. Eborn contacted Day Wireless on the 700 frequency and will be on the November agenda at 1:00 p.m. to give a presentation. Training is important to make it work. Commissioners will look at using some of the COVID money and doing some upgrades on the Allred Center, as it will be a relocation center, and are getting bids to help with it.

MOTION: Commissioner Jensen made a motion to approve ARPA funding for the CERT Classes (equipment, cots and blankets) and cellular phone for the E.O.C., seconded by Commissioner Payne, motion carried.

Clerk Garner was instructed to put ARPA Funds on the November agenda as an action item for the Lifepaks (difibrillator) and will put on the list to help with the roof of the Oregon Trail Center.

MINDY WILLIAMSON – PERSONNEL POLICY UPDATES – ACTION ITEM

Deputy Clerk, Mindy Williamson met with the Commission regarding the Personnel Policy updates presented in an earlier meeting to hear their recommendations on updates to implement. With timing for the next item on the agenda, will pick up the personnel policy discussion after.

FRANK GILL – IAQ – PURE AIR SHIELD – ACTION ITEM

Frank Gill with IAQ, and Kimberly Smith assisted, gave the Commissioners a presentation on the Pure Air Shield explaining that the filters would be changed once or twice a year, each 2 x 2 panel would cover a 1,000 foot room depending on how high the ceiling is. They kill 99.99 percent of anything coming into the air, has a five (5) year warranty. There is also a stand-alone unit. Bonneville County just proved this and Pocatello School District, Blackfoot's Bingham Academy School and there are case studies with universities across the nation. Commissioners appreciated the presentation and information, will review, check each office and how it would work and get back with them.

Back to the Personnel Policy item. They finished a thorough discussion on each item and encouraged Williamson to input the updates into the policy and present at next meeting for approval. Commissioner Rasmussen mentioned PTO and will look into it for the next budget year.

Clerk Garner mentioned the Juvenile Detention Center and Commissioner Rasmussen reported there is a meeting on October 25th and will be discussing how to fund and how counties should pay. Bannock

County has a good proposal, based on population of kids, create a fixed cost on how much the billing is and do a percentage and will pay actual cost after that.

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)

(d) 'To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code'.

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 Deputy Clerk Jamie Humpherys and Clerk Garner were in attendance.

Executive session began at 3:29 p.m. and the board left the executive session at 3:38 p.m. and back to regular meeting.

Discussed in executive was a new medical lien payoff.

MOTION: Commissioner Payne made a motion to authorize Commissioner Rasmussen to sign and release the paid off Medical Indigent Lien, #2014-01, if paid within 30 days, seconded by Commissioner Jensen, motion carried.

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

Meeting adjourned at 3:38 p.m.

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VAUGHN N. RASMUSSEN, Chairman **Date Approved**

ATTEST: _____

CINDY GARNER, Clerk