

The Board of Bear Lake County Commissioners met in their regular meeting on Monday, February 12, 2018, 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, Chief Deputy Sheriff Greg Knutti, Prosecutor John Olson, County Superintendent Scott Esquibel, Building Inspector Wayne Davidson, The News-Examiner Reporter Pamela Harmon, citizens Jean Alleman and Robin Owsley.

#### APPROVE AGENDA

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

#### ELECTED OFFICIALS MEETING/COMMITTEE ASSIGNMENTS

Chief Deputy Sheriff, Greg Knutti, came to present the Sheriff's report as the Sheriff was out at a training meeting.

Treasurer Tricia Poulsen presented a couple of cancellations, one was charged double, so needed to take half off and the others are the trailers that the Assessor's office picked up as they went out, two called and they were licensed. There are sixteen others that will be coming up by June. Commissioner Jensen made a motion to cancel the taxes for receipt #61047, #61025 and #4561, first two trailers that were licensed and the other one a taxpayer being charged twice, seconded by Commissioner Payne, motion carried. Poulsen also stated she would be putting the ad out for a new deputy treasurer as her Chief Deputy, Karen Webb, will be retiring.

Clerk Garner stated that Judge Naftz was appointed for the hearing for the Judicial Confirmation. Attorney Steve Fuller contacted her late Friday evening and stated that the date for the hearing would be March 23, 2018, at 10:00 a.m. in the Bear Lake County Courtroom for the hearing with Judge Naftz regarding the Judicial Confirmation. She also presented the Commissioners with some other housekeeping items.

Commissioner Rasmussen stated he would be sitting in on the Magistrate Judge selection this week and he also had a Board of Health meeting. He mentioned that most of the elected officials had also been at IAC meetings this last week in Boise.

Commissioner Jensen mentioned that he had a SEICOG meeting this coming Thursday.

Commissioner Payne stated he had been to the Oregon Trail Center meeting and they talked about the ice coming down putting holes in the roof and causing leaks. It looks like it would cost about \$80,000 to put on a new partial roof. They were also checking their insurance for alcohol coverage. He presented a year in review summary report on the airport. They had approximately ,1018 landings. The AWOS and PAPI are moving forward. They are working on the instrument landing and as it gets done, then they would label it a Regional Airport. Rich County does not have an airport, so they are very interested. He also met with the fair board regarding last year's fair. They felt like they had done very well. They had 690 entries, 131 animal entries, 1300 open class entries and they paid out \$10,341 in premiums. He also went to the State Fair board meeting in Blackfoot and they raised the fees by \$500, depending on how your amount was sitting. We were raised by close to the \$500, Caribou was sitting on \$2,000, so they

didn't raise theirs at all. Commissioner Payne and Commissioner Daniels felt it did not seem equitable, it should be done by a percentage, but they got voted out. Hope that next year they would re-assess it by population and property tax revenue, but somehow need to make it fair. The Paris Irrigation Water meeting is today so not able to go. Commissioner Payne asked about the culverts up Paris Canyon, Superintendent Esquibel stated they had a grant to replace one. There's a double one and one single one. Payne also mentioned the Soil and Water Conservation District is going to pay kids again to bag dyer's woad.

#### WAYNE DAVIDSON-BUILDING INSPECTOR REPORT

Wayne Davidson, Building Inspector, presented his report and also discussed the storage building and the estimated bid from Rocky Mountain Power. That will need to go on next month's meeting as it was not on the agenda. As there is still excavation and a few other items to be finished the county will hold out \$20,000 from the check for the contractors at this time. Commissioner Jensen stated some had questions about the grade and water getting in and running into the building, but it was checked with a laser level and it should be fine. The Commissioners would like Myers and Anderson to be on the March agenda regarding the County courthouse building. Davidson stated that he had a complaint with planning and zoning as they had been advised twice by one of their board members that the permit they were trying to approve was going against the County ordinance. They voted to let them go forward with their permit. Davidson stated that the Fire Protection code of R 302.1 is what was being used and needed to be followed.

#### ALAN EBORN & BENGAL SOLUTIONS

Alan Eborn, Emergency Manager, introduced the gentleman from Bengal Solutions regarding the previous earthquake exercise and prior to their presentation, Dan Craven, Director and the team of Hassan Afzat, Sheldon Brown, Bryce Jones and Tim Roth.

#### "FOLLOW-UP ON EARTHQUAKE EXERCISE"

Dan Craven, Director and the team presented a power point presentation of imminent earthquake information from the US Geological Survey and a FEMA report. They discussed economic loss, also cost of damage to buildings, transportation and utilities. Commissioner Rasmussen asked if it was based on population, as if it's July 4<sup>th</sup>, we have 10,000 to 20,000 more people. The Bengal Solutions team asked the Commissioners for a list of the most vital structures, roadways and utilities, also, what were the most vulnerable assets and key resources that the County would be responsible for. Eborn will work with the Commissioners and the team will come back second week of May for the regular meeting for follow-up. Eborn also stated there was no 3-phase power at the alternate care facility.

#### SUPERINTENDENT BROGAN-PLANT FACILITY BOND.

Superintendent Brogan presented a power point on the Plant Facility Bond that will be coming up in the March 13, 2018 School Bond Election.

#### BRANDEE WELLS & CHRIS BANKS-SOIL & WATER CONSERVATION DISTRICT UPDATE

Brandee Wells, Chris Banks and James Hardcastle mentioned the projects being worked on, especially the Fuels Reduction projects. Paris Hollows, Phase 1 of the Paris Hollows/French Dutch is almost done. There is in the future, Phase 3, French Dutch/Williamson Canyon. Part of this is from grant money and

part is match or in kind work with landowners, with landowners being responsible for weeds after a burn. There is also the Georgetown ECC Project, which is the Environmental Coordinating Committee. It was formed by Rocky Mountain Power as part of their re-adjudication process and had to be used for easements, or protecting water in the Bear River watershed or conservation projects over thirty years. They had a project to work with the Crane family up on Georgetown Summit to help remove livestock from the stream under the highway to relocate them with an off stream water system, so they developed a spring box to collect the water and send it through tire troughs across the landowners property. They also have Thomas Fork AFOS project, working with Loertscher's, Teuscher's, Boehme's and Teuscher's on a section of the Thomas Fork area so the river will remain toward the center of the river rather than erode the banks. They lost fifteen feet of bank last year. Stauffer Creek project is working with about five different landowners. Worked with Bret Oxborrow and the Department of Fish and Game to put in a large oversized culvert to improve the ability to cross with livestock and equipment and eliminate disturbance within the stream protecting the Bonneville cutthroat trout, which they did witness the trout using it later. They also worked with Derek Eliason and put in livestock water and installed a stream crossing that goes into Little Valley Reservoir, Glenn Transtrum with riparian fencing, worked on Saint Charles Creek putting in buck and pole fencing to help with the up & down of the water and withstand the freezing and thawing of the ground. They showed a large spring that they excluded to keep the livestock out and provided alternate water troughs. They put in a telemetric station to help monitor the irrigation water on a system in Pegram. They worked with Chad Hulme and fenced off a large slough, dug in the water line, put in three troughs, put in a sump well and provided that with a solar power water pumping plant. They worked with Kempton's for a needed oversized culvert and diversion structure, combining two diversion structures into one site.

#### RON HARPER-JUVENILE JUSTICE & MISDEMEANOR REPORTS

Ron Harper presented his juvenile justice and misdemeanor reports to the Commissioners.

#### PUBLIC COMMENTS

Dave Cottle mentioned he and Claudia went to Boise and they met with the Department of AG on the fragmites spray plan. They also met with Department of Parks about what is going on with the north end of the lake and they met with the Water Resource Board regarding the water at Bear Lake. They met with Department of Lands and talking about how the lidar is used, they are working on it in Idaho Falls and Boise. Commissioner Rasmussen will get a date and some people to meet. Cottle also asked if the Transportation Department had mentioned anything on the shoulders, or the Ovid Bridge and would like to see them paint double yellow lines between both of those bridges. He also asked about the turn lanes. Commissioners hadn't heard anything from them at this point.

Jean Alleman mentioned to the Commissioners they would be welcome to come to their meetings, which are every third Thursday at 12:30. Robin Owsley stated since the recent earthquakes, the residents at the Aspen Wood apartments have been quite nervous and wondered if there was any kind of training they could get. Commissioner Rasmussen suggested they could go to the library and they have pamphlets that would give the information for them regarding earthquake preparedness.

#### SCOTT ESQUIBEL-COUNTY SUPERINTENDENT

Superintendent Scott Esquibel presented his Road & Bridge and Landfill reports and mentioned they have changed up the landfill report to show the monthly material brought into the landfill. Esquibel stated he had been to a transportation meeting and they said Washington Street in Montpelier has been moved to 2019 but they will be doing some patching again like they did last summer. They will meet again on April 19<sup>th</sup> in Preston. He also mentioned there was a bridge that a car must've hit the guardrail. Commissioners stated that it was maintained by Fish and Wildlife Service. Esquibel also mentioned that he had called the other counties and there was no one that picked up the dead animals when people called to have them taken to the landfill. Commissioner Rasmussen stated they would put it on the Four County agenda in March.

#### EXECUTIVE SESSION

Commissioner Payne made a motion to leave the regular meeting and go into an executive session pursuant to Idaho Code #74-206 (a,b,c,d), for hiring, personnel, interest in real property and disclosure of records, seconded by Commissioner Jensen. All three Commissioners stated "Here" in a roll call vote. Also invited to attend were Prosecutor John Olson, Attorney Joe Hayes and Clerk Cindy Garner. Commissioner Payne made a motion to vacate the executive session and return to the regular meeting, seconded by Commissioner Jensen, motion carried. No items or decisions from the executive session.

#### RESOLUTION #2018-07 EMERGENCY COMMUNICATION FEE

Clerk Garner read Resolution #2018-07 Emergency Communications Fee in full. Commissioner Payne made a motion to approve Resolution #2018-07 with the correction in the title, seconded by Commissioner Jensen, motion carried. The fee remains the same at \$1.25, just needed to update the resolution. A complete copy of the resolution can be obtained at the Clerk's office in Paris.

#### GARY TEUSCHER-AUDIT

Gary Teuscher presented the county's audit along with a single audit for the airport, stating everything looked good financially.

#### DEVIN SKINNER-SUBDIVISIONS-RULES, REGULATIONS & COSTS OF PERK TEST

Devon Skinner called and cancelled today.

#### GLEN WILLIAMSON-STREET LIGHT

Glen Williamson with the Fair Board came to discuss getting a new street light put in out at fairgrounds. There was discussion about possibly widening the road for placement of the pole. With financial help from the city, county and the fair, they would be able to put this new light pole in.

#### TINA WOLLENBERGER-EAST SHORE SUBDIVISION-PROPERTY LINE ISSUES

Tina Wollenberger with property from the East Shore Subdivision had a property line issue she brought to the Commission. It is unfortunate, but the County has no jurisdiction over the subdivision and there was not a building inspector back when this property was purchased and built upon. It was suggested that she talk with the adjacent property owners as she's trying to sell or she needs to talk with the homeowners' association for the subdivision. She may need to hire an attorney.

#### AIRPORT BOARD MEMBER APPOINTMENT

Commissioner Payne made a motion to appoint Richard Nelson to the Airport Board, seconded by Commissioner Jensen, motion carried.

#### MEAL PER DIEM

Clerk Garner presented the Commissioners with the current county per diem, the state's rates and also the federal rates, asking if as they follow the federal mileage rate, would they want to consider following the state or federal and then there wouldn't be a question later on as it would always be set. Commissioners asked the clerk to find out what our surrounding counties are doing and bring the information to the March meeting.

#### EVENT PERMITS

Commissioners will continue to accept event permits at this time.

#### BOAT SAFETY GRANT

Commissioner Jensen made a motion to ratify the Boat Safety Grant as it had been approved prior but needed to be signed by a deadline, seconded by Commissioner Payne, motion carried.

#### RECORDS DESTRUCTION

The resolution needed to approve the destruction of records per Idaho Code will be moved to the March meeting.

#### CERTIFICATE OF RESIDENCY

Commissioner Payne made a motion to approve the Chairman signing three Certificate of Residency applications for students taking college courses, seconded Commissioner Jensen, motion carried.

#### POLLING PLACES

Commissioner Jensen made a motion to accept the consolidated polling places for the March 13, 2018 School Districts #33 and District #150 Bond Elections and amending a former motion to allow the Eight Mile voters to continue this year to vote at the Georgetown City Hall, seconded by Commissioner Payne, motion carried.

Precincts will be as follows: Montpelier #1 & Bennington at the Allred Center, Montpelier #2 and Dingle at the Grace Theil Community Center, Montpelier #3 at the Fire Station, Georgetown at the Georgetown City Hall, Paris and Bloomington at the Paris Tabernacle Annex, St. Charles and Fish Haven at the St. Charles City Hall, Bailey Creek, Bern, Geneva/Pegram, Liberty and Ovid/Lanark as Mail Ballot precincts.

#### FAA PAPI FLIGHT CHECK AGREEMENT

The Federal Aviation Administration will do a fly over before they can officially approve the grant. There will be a cost of \$11,401.00, non-refundable, but money in the grant will reimburse eventually. Commissioner Payne made a motion to approve the Non-Federal Reimbursement Agreement between the Department of Transportation, the Federal Aviation Administration and Bear Lake County, Paris, Idaho, Agreement Number AJW-ON-AAC-18-AC-002055, seconded by Commissioner Jensen, motion carried.

## APPROVE MINUTES

Commissioner Jensen made a motion to approve the January 8, 2018 minutes, seconded by Commissioner Payne, motion carried.

## RATIFY CLAIMS

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

## COUNTY VEHICLES

Each department will clear up any missing information on the county vehicles.

## NATURAL RESOURCE LITIGATION FUND

Commissioner Rasmussen showed an invoice regarding assisting with funds for possible litigation for natural resource cases and policy issues. The Commissioners decided to not pay at this time for those services.

## EXECUTIVE SESSION

Commissioner Jensen made a motion to leave the regular meeting and go into an executive session pursuant to Idaho Code #74-206 (c, d, f) for interest in real property, disclosure of records, as they ran out of time in the prior executive session and legal, seconded by Commissioner Payne. All three Commissioners stated "Here" in a roll call vote. Prosecutor Olson and Clerk Garner were also invited to attend. Commissioner Payne made a motion to leave the executive session and return to the regular meeting, seconded by Commissioner Jensen, motion carried.

Items coming out of the executive session were the release of some old Financial Assistance Liens. Commissioner Payne made a motion to release Financial Assistance Liens as follows:

Case #'s 2002-01, 2002-02, 2002-03, 2002-05, 2002-06

Case #'s 2000-01, 2000-02, 2000-03, 2000-07, 2000-09

Case #'s 1999-03, 1999-04, 1999-05

Case #'s 1998-02, 1998-03, 1998-06, 1998-08,

seconded by Commissioner Jensen, motion carried. Commissioner Rasmussen expressed appreciation for Deputy Jamie Humpherys for cleaning up those old liens.

Commissioner Jensen made a motion to adjourn the meeting, seconded by Commissioner Payne, motion carried. Meeting adjourned at 4:40 p.m.