

BEAR LAKE COUNTY COMMISSIONERS' MEETING

JANUARY 10, 2022

COMMISSIONERS' CHAMBERS – PARIS, IDAHO

The Board of Bear Lake County Commissioners met in their regular meeting on Monday, January 10, 2022 at 9:00 a.m., in the Commissioners' Chambers 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 Sheriff Bart Heslington, Chief Deputy Sheriff Micah Rigby, Deputy Prosecuting Attorney Adam McKenzie, citizen Jean Alleman and Kathi Izatt, reporting for The News-Examiner.

APPROVE AGENDA – ACTION ITEM

MOTION: Commissioner Jensen made a motion to approve the agenda as posted for January 10, 2022, seconded by Commissioner Payne, motion carried.

ELECTED OFFICIALS UPDATES/COMMITTEE ASSIGNMENTS

Assessor Heber Dunford, along with three (3) of his employees were away to Winter Appraisal School but left his monthly report for the Commissioners review. This included DMV, Winter Appraisal School, 5 Year Reappraisal Plan, Pictometry and more Budget Support.

Clerk Garner gave Commissioners the Audit Agreement to sign for the annual audit. Clerk Garner, with mixed feelings, read to the Commissioners her resignation letter, to be effective as of February 25, 2022. After being the County Clerk for seven (7) years and working in the Clerk's office since May of 1990, Garner has chosen to retire. Commissioner Rasmussen read Idaho Code 59-906, which refers to the political central committee having up to 15 days to submit up to three (3) names to the Commission. Option #2 would be encouraged to give notice earlier for training purposes prior to Garner's departure. Commissioners expressed appreciation for all the work Garner has done over the years working with them.

Commissioner Payne reported the State Fair meeting will be on January 27th and will work on the budget. He attended the Soil Conservation District meeting and understood the Quilt Guild moved their meeting there rather than the Senior Center as they did have parking lot lighting. It is part of the hospital parking lot and will be checked into as it should be lit.

Sheriff Bart Heslington reported a lot of weather-related activity, some slide offs, fortunately not a lot of damage. When the Bear Laker storm hit, they worked closely with the Road and Bridge and ITD and things went as well as could be expected. Snow Grooming program is going well, committee is very active, however, some of the equipment is beyond repair. Plan to take it up with the State to have the registrations help acquire another groomer. The threshold has been reached and should happen. Some of the groomers are over or are reaching 5,000 hours with lots of down time. Major problem now is a track replacement and hard to get one. Sheriff deputies are active at the trail head and checking registrations. Sheriff Heslington noted he received the Annual Forest Service Agreement, Deputy Prosecutor McKenzie has reviewed and will require a signature.

Commissioner Jensen reported the District Landfill continues to move forward and is working well. He and Alan Eborn met with Day Wireless and felt the Bern Repeater was the best place for a trunk system. Mike Duncan is working on the Forest Service grant for Minnetonka Cave Road, Superintendent Esquibel is working on a grant for either there or East Shore Road. Fish Haven Canyon Road and parking lot are about to the approval point from the engineer and will have on the next meeting.

There was discussion on the Bern Hill repeater and road and if the agreement Roger Kunz allows adding an additional repeater. County is leasing the land but would be nice to own and not have risk of change if putting up to \$550,000 equipment there. Power is there, the TV Translator District owns. Sheriff Heslington reported there is another provider proposing a solution, had some test equipment, not on 700 system, it is a UHF frequency but not part of the State system. It would need to go out for bid. Sheriff spoke of matters of parking and snow removal and problems of larger recreational vehicles parking in the road as no room in parking area which creates major problems for the Road and Bridge to remove snow. In contact with Sheriff Maybe for a copy of their ordinance, Heslington and McKenzie will review it and bring to the Commission.

RATIFY CLAIMS

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

APPROVE MINUTES

MOTION: Commissioner Payne made a motion to approve the minutes for December 13th and 27th, 2021, seconded by Commissioner Jensen, motion carried.

APPROVE ANNUAL ROAD and STREET FINANCIAL REPORT

Will wait until County Superintendent Esquibel is here for his report prior to approval.

COMMISSIONER DISTRICTS

Chief Deputy Amy Bishop did a lot of research on the district areas and population and Todd Transtrum helped update the maps to provide two (2) options to review. Option #1 puts Dingle in Commissioner District #1 and Option #2 would split Montpelier three (3) ways. Commissioners discussed both options.

MOTION: Commissioner Jensen made a motion to approve Option #1, Commissioner Payne motioned for Option #2, Commissioner Rasmussen motioned for Option #1, breaking the tie. Motion carried with two (2) votes in favor of Option #1, Commissioner Payne being opposed.

M2 AUTOMATION

A discussion on the security options and the maintenance cost prompted more follow up from Sheriff Heslington.

AEONIA SOFTWARE

Commissioners opted to table this agenda item for a while.

ARPA FUNDS – SENIOR CENTER and OREGON TRAIL CENTER

Commissioners had further discussion on the lost revenue for both the Senior Center and the Oregon Trail Center. For the Senior Center, Chief Deputy Clerk, Amy Bishop, encouraged looking and two (2) directions, one (1) for revenue loss, the other for home delivery as that is a real struggle for those eligible. Bishop indicated the updated standards allow a broader scope of capital projects without so much red tape. Commissioner Payne reported the Oregon Trail Center was in need of a new roof and had equipment 20 years old that should be updated.

MOTION: Commissioner Jensen made a motion to use ARPA funds in the amount of \$30,000.00 for the Oregon Trail Center and \$25,000.00 for the Senior Center, seconded by Commissioner Payne, motion carried.

PROSECUTING ATTORNEY

Commissioner Rasmussen read a letter of resignation from Prosecuting Attorney, Joe Hayes, as of January 6, 2022, effective immediately.

Commissioner Rasmussen appreciated The News-Examiner helping to put together the open meeting law online presentation, it was a good high-level training.

Commissioner Rasmussen referred to Idaho Code 59-907 regarding less than three (3) or fewer attorneys in the County, which allows the Commissioners authority to appoint or contract with an attorney from another county. Attorney Adam McKenzie will continue as Deputy Prosecuting attorney till further notice. Sheriff Heslington, with Judge Garbett in agreement, urged the Commissioners to move forward with a special meeting to initiate the process to get outside applications and get to the long-term solution and have stability. McKenzie has done a great job and helped us out before but now there is a vacancy would like to see it posted and see who are the interested parties, it is important to have someone in the office for everyday happenings. The Idaho State Bar will put out a publication and can send notices to all the counties. McKenzie did offer to continue to fill out the rest of the term.

MOTION: Commissioner Payne made a motion to give Commissioner Rasmussen authorization to contact Idaho Prosecuting Attorney Association, Attorney Vic Pearson, Chairman to put a posting together for Prosecuting Attorney for Bear Lake County and the best option where to post, seconded by Commissioner Jensen, motion carried.

WAYNE DAVIDSON – BUILDING INSPECTOR REPORT

Building Inspector, Wayne Davidson, reported not a lot of change since the December report, still getting lots of calls on where and what they can buy. Will check with other county entities to see if anyone could use the old county truck or will put up for bid. Has been helping with snow removal and working on the 911 map. Commissioner Payne encouraged following up on repairs at the Allred building. They will authorize Covid funds in the next meeting for it.

BOARD OF EQUALIZATION

MOTION: Commissioner Payne made a motion to open the Board of Equalization and leave it open through June, seconded by Commissioner Jensen, motion carried.

Deputy Assessor, Dale Thornock, informed the Commission they had sent the Sub Roll notices out, one inquiry as the appraiser had shown two (2) floors, but it was just an open ceiling and Arygle made the adjustment before the appeals period and have not heard back. Need to finalize the Sub Rolls and as it

was not on as an action item they will put it on the special January 24th meeting, beginning at 9:00 a.m., along with Prosecutor and an executive session for 74-206 (1) (a).

Commissioner Rasmussen reported there would be meetings for the Board of Health, ICRMP and Gem Plan coming up. The IAC Midwinter Conference begins at the end of the month. January 28 at 6:00 p.m., the Bear River Rifleman will have a dinner at the Fire House and elect new officers. Courthouse will be closed on the 17th for Martin Luther King Day. There will be a Juvenile Board meeting on January 19th on funding, working on using actual usage from the past year, then adjust every year and be totally funded, may require a small percentage for the building. Hospital remodel makes it much nicer for an ambulance to get in. Covid cases have taken a jump after Christmas. There was proposal from the Idaho Republican Central Committee regarding certifying candidates for election, which would take away the reason we live in the United States and our freedom. It was out of Bonneville County but it did get voted down.

Follow up on Resolution #2022-04 regarding setting Commissioner Districts. Commissioner Rasmussen read Resolution #2022-04, pursuant to Idaho Code 31-704, creating Commissioner Districts to be as equitably equal as can be. They did accept Option #1.

MOTION: Commissioner Payne made a motion to accept Resolution #2022-04 on Commissioner Districts, accepting Option #1 to create as equal as possible the three (3) districts on this January 10, 2022, seconded by Commissioner Jensen, motion carried.

SCOTT ESQUIBEL – COUNTY SUPERINTENDENT

Scott Esquibel, County Superintendent, presented his monthly report beginning with the two-way radios that no longer work properly and parts are not available. Working with the Sheriff, have acquired a couple of quotes from Motorola and Teton. The difference in cost is using UHF verses the 700 system. There was more discussion on the repeater sites, access and having a county system that would be most beneficial and efficient for all services. Esquibel worked with the contractor and engineer firm in bringing Fish Haven Canyon Road and parking lot up to county standards. Will need to put on the agenda as an action item to accept the property. Working with Keller Associates in applying for a Federal Lands Access Program (FLAP) Grant for the second half of the Dingle East Shore Road Project.

Follow up on Annual Road and Street Financial Report needing a signature from the Commissioners.

MOTION: Commissioner Payne made a motion to approve the Annual Road and Street Financial Report, seconded by Commissioner Jensen, motion carried.

PUBLIC COMMENTS

Kathi Izatt, having been asked to re-write the ordinances, wanted to ask the Commissioners, as residents, their thoughts on a Subdivision Ordinance but they could not comment only as Commissioners in this setting. Attorney McKenzie advised them not to answer as these were Planning and Zoning questions and they would need to hear later after a hearing procedure. Izatt insisted on more questioning, Commissioner Rasmussen informed Izatt they could not deliberate something that will end up with an opinion and decision.

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 the Sheriff Heslington, Deputy Prosecuting Attorney McKenzie, Deputy Clerk Jamie Humpherys and Clerk Garner were in attendance.

Board entered executive session at 12:04 p.m and board was out of executive and back to their regular meeting at 1:27 p.m.

A brief summary of the executive session was a review of nine (9) application proposals for Emergency Services Coordinator position, which need more information and will review on the special January 24th meeting. There was an Indigent payoff for Medical Claim #2007-36.

MOTION: Commissioner Payne made a motion to have Clerk Garner give a counteroffer on Medical Claim #2007-36, seconded by Commissioner Jensen, motion carried.

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

Meeting adjourned at 1:30 p.m.

VAUGHN N. RASMUSSEN, Chairman

Date Approved

ATTEST: _____
CINDY GARNER, Clerk