

BEAR LAKE COMMISSIONERS' MEETING

JANUARY 13, 2020

SCHOOL DISTRICT #33 BOARD ROOM

The Board of Bear Lake County Commissioners met in their regular meeting on Monday, January 13, 2020, at 9:00 a.m. at the School District #33 Board Room. Members present were Commissioners' Vaughn N. Rasmussen, Chairman, Bradley D. Jensen, Rex L. Payne and Clerk of the Board, Cindy Garner.

Others attending were Treasurer Tricia Poulsen, Sheriff Bart Heslington, Assessor Heber Dunford, Prosecutor Adam McKenzie, County Superintendent Scott Esquibel, Building Official Wayne Davidson, citizens Jean Alleman and Robin Owsley.

APPROVAL OF AGENDA – Action Item

MOTION: Commissioner Payne made a motion to amend the agenda to add ratify claims and approve minutes, seconded by Commissioner Jensen, motion carried.

ELECTED OFFICIALS MEETING/COMMITTEE ASSIGNMENTS

Treasurer Tricia Poulsen presented the Commissioners a letter from a citizen regarding frustration on being charged for a second (2nd) garbage can, not having requested it. The tax notice does not designate, it just states standard and Poulsen stated she would try to see if there was a way the State Tax Commission would be able to clarify that on the bill. The citizen would like to be reimbursed for those years for a total of \$2,023.00. Commissioners stated they need to get with the attorney on the how far fees can be paid back, but it does need to be addressed. Treasurer Poulsen had a couple of cancellations, the first three (3) being exempt as they are now city parcels, the next one is the double can fee for the current year and the last one was a mobile home sold early in 2019.

MOTION: Commissioner Jensen made a motion to cancel the taxes for the following three (3) Parcels #585, #586, #573, garbage fees for #3668 and mobile home taxes for #60126, seconded by Commissioner Payne, motion carried.

Treasurer Poulsen mentioned the Burgoyne property previously discussed and needs to cancel this year's taxes, penalty and interest, as it is landlocked and no one responded, was advised to get it back on the tax roll. The Occupancy Tax Notices will go out as soon as BOE (Board of Equalization) gets done today, there are thirty-eight new constructions on the roll.

Sheriff Bart Heslington presented his monthly reports and stated they were accepting applications for a deputy position. The new equipment was functioning well and they were doing training tomorrow on the new CAD system. When finished they would terminate the contract with Computer Arts, Inc. and convert to Spillman.

Assessor Heber Dunford stated ITD was updating the Motor Vehicle Program and there will be several days the office will be shut down for training. He stated the Tax Commission has completed the ratio study and noted the assessed values may need to be raised, as there have been lots of sales and they are coming in higher than the assessed values, primarily residential. Assessor Dunford mentioned they did hire Cindy Hansen for the part-time position and training was going well, working in the DMV at this time and will move to the mapping as soon as they get the computer ready. Commissioner Payne asked

about the new law on insurance on vehicles and what effect it may be having on their department. Dunford stated increased calls to which they are referring them to the State. Commissioners stated they did not support House Bill #179, which created this and are all getting calls, especially those with farm vehicles. The insurance companies were lobbying for something different, and are getting the blame, and it went through fast and didn't take into consideration all the farm vehicles but wanted to take care of so many vehicles out on the roads not insured. It may be repealed later.

GENERAL ACTION ITEMS

Planning and Zoning Board Member Appointment

Commissioner Jensen stated that Ron Jensen had brought up to him his term was ending and as he has served for twenty years, it was time for someone else. Commissioner Jensen stated they wanted to recognize Mr. Jensen today, but will do so at a later date, when he can be present. The board had submitted names for the Commission to act on.

MOTION: Commissioner Jensen made a motion to appoint Rob Smith as a new Planning and Zoning member for a period of three (3) years, seconded by Commissioner Payne, motion carried.

MOTION: Commissioner Jensen made a motion to re-appoint Kristy Crane to the Planning and Zoning board for another three (3) years, seconded by Commissioner Payne, motion carried.

Certificate of Residency

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

ELECTION PRECINCTS

Commissioner Payne made a motion to accept the following precincts: Montpelier #1 – Allred Center, Montpelier #2 – Senior Center, Montpelier #3 – Montpelier Fire Station, Bennington – Bennington LDS Church, Bloomington – Bloomington City Hall, Dingle – Dingle LDS Church, Fish Haven – The Reserve Clubhouse, Georgetown – Georgetown City Hall, Paris – Paris Tabernacle Annex, St. Charles – St. Charles City Hall, and Mail Ballot Precincts: Bailey Creek, Bern, Geneva/Pegram, Lanark/Ovid and Liberty, for the March 10, 2020 Primary Presidential Election, seconded by Commissioner Jensen, motion carried.

PARIS CITY BILL/TRADE AGREEMENT

Commissioner Payne and Commissioner Jensen stated there were some bills needing to be addressed, that are in two (2) parts, but it was suggested to defer it till the later agenda item when a City of Paris representative would be in attendance.

APPROVE MINUTES

MOTION: Commissioner Payne made a motion to approve the minutes, with a typo correction, for December 9, 2019, seconded by Commissioner Jensen, motion carried.

RATIFY CLAIMS

MOTION: Commissioner Jensen made a motion to ratify the claims, with the exception of any claims he may be associated with, seconded by Commissioner Payne, motion carried.

COMMITTEE ASSIGNMENTS

Commissioner Payne mentioned that as Extension Agent, Les Nunn, had taken a position elsewhere, he had inquired of Barbara Petty about getting a new extension agent for Bear Lake and Petty stated they would put together a committee and advertise, on the local level as well. Commissioner Payne was working with Prosecutor McKenzie on several contracts, first being the bids on inspections for the new courthouse. It would be a conflict for Big D, so it went to Building Inspector Wayne Davidson and himself to review, they chose the lower bid, but held back a couple of thousand till the inspections were complete. McKenzie reviewed the contract, and they would need to provide information as to why the bid is higher. Next contract was with Rocky Mountain Power, with Big D and the county each getting invoices, after reviewing, it would seem it is correct, with an adjustment after a year, based on usage. Another contract is the one with the University of Idaho and the proposed revisions they would incorporate in the next year, but other counties have already signed so they do not want to make those changes at this time. The Commissioners motioned to approve based upon review of the attorney at an earlier meeting, so they will proceed with it. Commissioner Payne stated that when they have the Mobile Food Pantry, where they are giving out commodities, the cars are lining up and down Highway 30, Micah Jensen, has asked that it could be plowed a little deeper in the loop in the parking area to help on the 3rd Thursday. Superintendent Esquibel stated they would follow up on that. Commissioner Payne mentioned the T.O. Engineering is working with the attorney on a contract, but the electrical engineer passed away, so there will be a delay. Commissioner Payne stated George Cook requested the parking lot for the snowmobile parking for the Hill Climb races could be plowed earlier to get the frost down in the ground.

WAYNE DAVIDSON – BUILDING INSPECTOR REPORT

Building Inspector, Wayne Davidson, presented his monthly report stating obviously slow at the first of the year, with three (3) HVAC permits and one (1) garage permit, but lots of inspections. Davidson is working with Montpelier Planning and Zoning to update their maps. Davidson had taken Senator Mark Harris and his wife on a tour of the new courthouse so he could take back updates to the legislators regarding the progress of their efforts in helping with the judicial confirmation. Big D was holding up on the front stairs as they are working on the anti-skid material and want it to be efficient. Commissioner Rasmussen stated they had been impressed with Big D, their help in keeping the budget in check and thanked Commissioner Payne and Davidson for the work they are doing keeping up on everything. Davidson mentioned he was working with Correctional Services on the furniture, just receiving a bid, reviewed and made a couple of corrections and will go forward with the order. The drywall and taping going well and they are staying on schedule. Big D is hiring local for the cleanup.

Commissioner Jensen stated they are working with the Road and Bridge will get the parking lot ready for the Hill Climbs. Esquibel stated they were waiting further directions on exactly where they want it to be plowed and they will get garbage cans there so they can be ready. Commissioner Jensen mentioned the Regional Landfill and they were waiting to hear from the bank.

Commissioner Rasmussen mentioned he'd been to a Board of Health meeting. The Gem Plan has a meeting coming up, but they are doing good, they do have some rates going down. Things with the

ICRMP board are going well, they hired a new Chief Financial Officer as Tim Marks is now the new Executive Director. Commissioner Rasmussen stated the Board of Health had reported three (3) deaths in children attributed to influenza. It is important to get a flu shot.

BRENT LEWIS – CITY OF PARIS – NEW COURTHOUSE SEWER/WATER, BEAR LAKE CONSTRUCTION HITTING WATER LINE

Brad Wilks, new City of Paris Mayor, asked first as he is the Snowmobile Grooming Chairman, would like to see more snowmobile tags available as they actually run out. It would be beneficial to have them in locations that are open on the weekend when they do most of the riding. Mayor Wilks stated he was confused about the electricity bill, Big D was hooked into the city, but now they have been off for a while. Commissioner Payne will check into that to be sure. Commissioner Rasmussen recommended that if there is any issue with Big D, go to Commissioner Payne and if a Road and Bridge matter, the go to contact is Commissioner Jensen. Commissioner Payne stated he spoke with Ryan on the overtime and it is correct and Big D will pay that to the city. Mayor Wilks stated they were never billed for the dust guard for 2018 and they do not expect it for free, so Commissioner Jensen and Superintendent Esquibel will check into that and get with him. The sewer and water line permits on the Equipment Building will need to be checked into also. The city dump truck and operator worked when they were excavating and needed help with the trees. Mayor Wilks mentioned the lines that were broke and the plugged line and Commissioner Payne stated he spoke with Ryan and the amount was correct, other than the city shorted themselves one half (1/2) hour, but to get with him. Commissioner Payne will introduce Mayor Wilks to Ryan with Big D. Commissioner Payne stated the work agreement with Rick Thomas and the City, in plowing the snow while we do not have a parking lot was working well and appreciated what a great job they are doing. Mayor Wilks had a copy of Craig's Backhoe Service when they needed the line vacuumed out, Commissioner Payne stated they would get with Ryan on that. Mayor Wilks inquired about keeping track of the bills and the trade agreement to have it work out and have everyone on the same page. Commissioner Rasmussen stated to get the bills to Commissioner Payne, will work on it with Thomas bills and take care of it. Commissioners appreciate having a good working relationship.

MITCH POULSEN – P & Z ADMINISTRATOR – SHORESIDE SUBDIVISION AMENDMENT #3 – Action Item

Mitch Poulsen, Planning and Zoning Administrator, presented the Commissioners with the Shoreside Subdivision Amendment #3, been a long process, but the board has recommended it be approved.

MOTION: Commissioner Jensen made a motion to accept the Shoreside Subdivision Amendment #3 as presented, seconded by Commissioner Payne, motion carried.

LAURIE RICH – COURTHOUSE – Action Item

Laurie Rich, Travis Douglas and Sherman Grandy, gave more information regarding their proposal to save the old courthouse. Rich stated she felt the parking was not an issue as most used the side streets already and that the fire code was not a problem as it was more than twenty feet between the buildings. Roof leakage was a problem with the flat roof. Rich stated on ADA compliance, if doing a business and the city permits as a business, does not need to be ADA compliant. They have looked at cost for bathrooms at \$65,000 and an elevator depending on where it is put, about \$80,000. Rich presented an estimated monthly expense sheet, which didn't have all figures, but they would do their own custodial

work and if renting out, felt they could make enough over ten years to make it work. Rich stated Pathway Salt Lake would help them find money. As Friends United for Bear Lake, they would like to lease it for three (3) years and would like to test it out to see if it was physically possible. Commissioner Rasmussen asked Prosecutor McKenzie about the lease option, to which McKenzie stated it would need to be offered at a public auction and put up for bid and it has to be for non-profit purposes. There are people who have inquired about the materials. Commissioner Jensen stated we do need the real estate. Travis Douglas asked if the public got a say, Commissioner Jensen stated that the second vote, with the option of taking the building down, received the highest number of votes, only a handful short for the super majority requirement. Rich mentioned the building stay standing, the Commissioners stated that was if there was a valid plan. Rich felt like that was what they were presenting. Commissioner Rasmussen stated in their proposal, Architect Myer stated it was not financially viable. Commissioner Rasmussen stated, if it was auctioned, it would be to tear it down or move it. Rich mentioned in a previous meeting, Roy Bunderson brought up having the Commissioners have a detailed plan and give an amount for the tear down, fill, blacktop and war memorial. Commissioners stated the war memorial was always going to be a fundraising committee and possible grant money. Commissioner Rasmussen stated, if they went that way, they would not know how much until it was put up for auction. Commissioner Payne asked the attorney, as a county building, what requirements need to be followed, do they need a public hearing, McKenzie stated it would depend on what action they decided to take regarding the building. Commissioners could put it up for auction and would be requesting two (2) bids, to tear it down or salvage but cannot do now as we are still in the building.

SCOTT ESQUIBEL – COUNTY SUPERINTENDENT

County Superintendent, Scott Esquibel, presented the monthly Road and Bridge report and they were busy plowing snow. The grant for the Jericho Loop Bridge has been approved and needed a signature to proceed.

MOTION: Commissioner Jensen made a motion to approve and sign the LHTAC/Local Agreement for the Jericho Loop Bridge Project, seconded by Commissioner Payne, motion carried.

Esquibel mentioned the landfill was staying under the twenty tons as needed. Commissioner Payne had spoken with Boehme's regarding the cattleguard discussed last month and Esquibel stated it did not have the wings put on as asked and could cause the problem with the cattle.

Commissioner Rasmussen asked about tires being used for a backstop for a shooting range and it was stated it could hamper getting the lead out and bullets may ricochet.

BRUCE OLENICK – DEQ BI-ANNUAL UPDATE

Bruce Olenick, with DEQ, met with the Commissioners to give a bi-annual update and they give their continued support for the regional landfill with IDAWY. Olenick spent time with Oneida County Commissioners and if they sign on, it will be a big help. Olenick has been getting phone calls about various plans regarding happenings on the East side of the lake. Commissioner Rasmussen stated they have Roy Bunderson heading up a committee which they wanted DEQ to be on, along with Public Health, State Parks and a small group to start with. Olenick encouraged them to move forward and do it right, and he would like to be involved in the meetings on the Idaho Endowment Lands. Olenick stated when small counties pull together and put together a plan to tackle similar issues, it works well.

PUBLIC COMMENTS

David Cottle mentioned he had been in contact with the Five County Transportation and talked with them about Highway 89 and widening turn lanes. Cottle mentioned an upcoming transportation meeting maybe one of them would like to attend.

Jean Alleman requested to be put on the February agenda for the Senior Center to give an update.

BOARD OF EQUALIZATION – FINALIZE – Action Item

MOTION: Commissioner Payne made a motion to leave the regular meeting and convene as a Board of Equalization, seconded by Commissioner Jensen, motion carried.

Assessor Heber Dunford stated there were no appeals for the Sub or Missed Rolls for the Board of Equalization.

Commissioner Payne made a motion to leave the Board of Equalization and go back to the regular meeting, seconded by Commissioner Jensen, motion carried.

MOTION: Commissioner Jensen made a motion to close the Board of Equalization as there were no appeals for the Sub or Missed Rolls, seconded by Commissioner Payne, motion carried.

MOTION: Commissioner Payne made a motion to open the Board of Equalization, seconded by Commissioner Jensen, motion carried.

Clerk Garner presented some housekeeping items for the Commissioners.

GARY TEUSCHER – BEAR LAKE COUNTY AUDIT

Gary Teuscher presented the Commissioners the Bear Lake County Audit, going over details and stating the County financial status looks good. After Commissioners review, it will be put on the February meeting for approval.

BRET KUNZ – INSURANCE ADVISORS – ICRMP AGENT – Action Item

Bret Kunz, Insurance Advisor and current ICRMP Agent, came to request the Commissioners signature on the Producer of Record Letter. Commissioners will be looking into the options regarding requirements for a local agent and checking with ICRMP further.

Prosecutor Adam McKenzie stated he had reviewed the contract that T.O. Engineers had presented at the December meeting and with the proposed changes, it was ready to be signed. The Commissioners had approved it in the December meeting, based upon McKenzie’s review.

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

Meeting adjourned at 1:15 p.m.

VAUGHN N. RASMUSSEN, Chairman

Date Approved

ATTEST: _____

CINDY GARNER, Clerk