

The Board of Bear Lake County Commissioners met in a special meeting on Wednesday, January 30, 2019 at 10:30 a.m. in the School District #33 Board Room in Paris, Idaho. Members present were Commissioners Vaughn N. Rasmussen, Chairman, Rex L. Payne and Clerk of the Board, Cindy Garner.

Others attending were School District #33 Superintendent Gary Brogan, Business Manager Joey Probst, School Board Member Kolby Romrell, Judge Todd Garbett, Christie Crane, Roy Bunderson, Albert Johnson, Sean Bartschi and Pamela Harmon, reporter for The News-Examiner.

#### APPROVE AGENDA

Commissioner Payne made a motion to accept the agenda, with the executive session being removed as that issue had been resolved prior, seconded by Commissioner Rasmussen, motion carried.

Commissioner Bradley D. Jensen joined the meeting, coming from a previous meeting.

#### SUPERINTENDENT GARY BROGAN – SCHOOL DISTRICT REQUEST TO USE COUNTY PROPERTY

Commissioner Rasmussen stated after discussing with the Attorney General's office, they made it clear with statute that anytime discussing public land, it cannot be talked about in executive session.

Superintendent Gary Brogan presented the Commissioners with a copy of a map and the request for a memorandum of understanding if they pass their bond, they would like a piece of property the county has ownership of at this time. Commissioners thought it in the best interest of the citizens to hold a public hearing regarding acquiring and use of the property, setting a date of February 19, 2019 at 7:00 p.m. in the Oregon Trail Center.

Commissioner Rasmussen mentioned the Drug Court graduations the previous evening with three (3) participants completing the program and graduating and what a great program it is and to see the positive changes in these individuals lives. Judge Garbett stated there would be another graduation on February 26<sup>th</sup>.

#### SUBDIVISION ORDINANCE/LAND USE ORDINANCE

Commissioner Rasmussen stated the need to finalize these ordinances, starting with the Subdivision Ordinance, mentioning several items as follows: Page 7 regarding pit run, needs clarification with the Planning and Zoning depending on the type of property, page 12, Street, Private, also leaving that to the discretion of Planning and Zoning, page 37 on fencing had further discussion. Commissioner Payne reviewed his notes from the previous public hearing, including the letter presented from Sean Bartschi, with agreement of others, specifically fourteen, who spoke up in favor of the POA (Property Owners Association) being obligated to maintain the fence. Commissioner Jensen stated the importance of a good fence to begin with and he has checked with other counties and they use the current state fencing law and do nothing different with developments. It was also brought up about the need for a minimum of three (3) to four (4) inch treated posts, as steel posts do not do well in heavy snow areas. Three (3) wire would be Ag against Ag, five (5) wire would be Ag against property owner. Regarding all four (4) sides, do not want to see a beach fenced off, but if it butts up to Ag land, it should be a fenced. The penalties would be enforced. Commissioner Jensen made a motion to approve the Subdivision Ordinance as is, motion died for a lack of a second. Commissioner Payne made a motion to approve the Subdivision Ordinance with the change of the maintenance falling on the POA (Property Owner

Association), HOA (Home Owner Association), seconded by Commissioner Rasmussen, motion carried with Commissioner Jensen in agreement.

#### SELL OF COUNTY BUILDING (ELK COUNTRY SPORTS)

Commissioner Rasmussen stated the hospital would like a building sold, it's a county building purchased by the hospital as it is a county hospital, it is under jurisdiction of the county. It will go up for bids, the minimum is the appraised value of \$220,000. It will be advertised and plan to open in the March meeting. Commissioner Jensen made a motion to move ahead with the procedures to publish for bid and sell the Elk County Sports building, with the money going back to the hospital minus any costs incurred in the publication process, seconded by Commissioner Payne, motion carried.

#### SET PRECINCTS for MARCH ELECTION

Commissioner Payne made a motion to set the precincts for the March election as follows: Montpelier #1 – Allred Center, Montpelier #2 – Grace Thiel Community Center, Montpelier #3 – Fire Station, Bennington – LDS Recreational Hall, Bloomington – City Hall, Dingle – LDS Recreational Hall, Fish Haven – The Reserve Club House, Georgetown – City Hall, Paris, Rear Tabernacle Annex, St Charles – City Hall with five (5) Mail Ballot precincts as follows: Bailey Creek, Bern, Geneva/Pegram, Liberty, Ovid/Lanark, seconded by Commissioner Jensen, motion carried.

#### SET DATE to CANVASS ELECTION

Commissioner Payne made a motion to set the date to canvass the March 12, 2019 election as Monday, March 18, 2019 at 9:00 a.m. in the Clerk's office, seconded by Commissioner Jensen, motion carried.

#### GRANT FOR SENIOR CENTER (GRACE THIEL COMMUNITY CENTER)

Krystal Harmon and Michael Patton, with SICOG, came to ask the Commissioners to move forward on the grant process for the Grace Thiel Community Center for needed renovations. Commissioner Jensen made a motion to go ahead with a public hearing regarding the Grace Thiel Community Center on February 11, 2019 at 11:00 a.m. in the Grace Thiel Community Center, seconded by Commissioner Payne, motion carried. The county would be the sponsor, submitting the grant application and administer the funds as a pass-through effort.

Commissioner Payne made a motion to adjourn the meeting, seconded by Commissioner Jensen, motion carried. Meeting adjourned at 12:20 p.m.