

BEAR LAKE COUNTY COMMISSIONERS' MEETING

MARCH 9, 2019

SCHOOL DISTRICT #33 BOARD ROOM

The Board of Bear Lake County Commissioners met in their regular meeting on Monday, March 9, 2020, 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.

Others attending were Prosecutor Adam McKenzie and County Superintendent Scott Esquibel.

APPROVAL OF AGENDA – Action Item

MOTION: Commissioner Jensen made a motion to approve the agenda with the amendment to set a date to Canvass the March 10, 2020 Presidential Primary Election, seconded by Commissioner Payne, motion carried.

ELECTED OFFICIALS MEETING/COMMITTEE ASSIGNMENTS

On behalf of Treasurer Tricia Poulsen, Clerk Garner presented the tax cancellation that was discussed in February Commissioner meeting on Parcel #01452.00 for an adjustment through the Board of Equalization.

MOTION: Commissioner Jensen made a motion to have Chairman Rasmussen sign the tax cancellation for Parcel #01452.00 in the amount of \$508.24, adjusted from Board of Equalization, seconded Commissioner Payne, motion carried.

Commissioner Jensen and Superintendent Esquibel attended an IDAWY meeting which was positive with the bank rates looking good.

Commissioner Payne and Weed Supervisor Todd Transtrum attended the meeting in Garden City, Utah regarding Eurasion Waterfoil and heard plans for treatment in June. Idaho plans to test and survey about 13,000 acres of the lake on the Idaho side. The Extension Office has requested a second (2nd) car during the State Fair week and for 4-H camp. As the Allred Center is rented at times, the Commission has asked for a release form to be signed. Prosecutor McKenzie is working on wording. Commissioner Payne spoke with Beverly Petty, Director of University of Idaho Extension, regarding timeline on replacing our county extension agent as the county has invested a lot of money, so Petty put Bear Lake County on the top of the list. The Bear Lake County Fair will be held August 10-15, 2020. Commissioner Payne, along with Clerk Garner and Chief Deputy Amy Bishop, met with Jared Ricks, Regional Public Defense Coordinator, to go over continuing details of the grant money for the Indigent Public Defense.

Clerk Garner had some housekeeping items.

Commissioner Rasmussen mentioned the legislators are in session and are working on Medicaid Expansion and several property tax bills to be concerned about, among others. Commissioner Rasmussen referred to an email he wrote to Representative Wood regarding how RS27790 would be

very harmful, especially to small counties. There would be no further State aid for the health districts for the counties as of October 1, 2020 if this passed.

GENERAL ACTION ITEMS

Amendment to Ordinance #78-01 – Prohibit Unauthorized Maintenance of County Roads

There was further discussion on items in the ordinance to be prepared for a hearing. It will be on the agenda on April 13, 2020 at 1:00 p.m.

Resolution – Vacate Road

The resolution was on a road that did not exist in the Wardboro area and was requested to be vacated by the Lyman Kunz family. The public hearing was held last meeting according to the statute.

MOTION: Commissioner Payne made a motion to adopt Resolution #2020-03, to Vacate and Abandon County Road, as presented and approved at last meeting, to be in effect, seconded by Commissioner Jensen, motion carried.

Conflict Counsel Contracts

Prosecutor Adam McKenzie is working on getting clarification from the Public Defense Commission Regional Coordinator, Jared Ricks and has not heard back at this point and will follow up on it.

Canvass March 10, 2020 Election – Set Date

Commissioners set Monday, March 16, 2020 to Canvass the March 10, 2020 Presidential Primary and School District #150 elections in the Clerk's office at the courthouse.

Approve Minutes

MOTION: Commissioner Jensen made a motion to approve the minutes for February 10, 2020, seconded by Commissioner Payne, motion carried.

Ratify Claims

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

WAYNE DAVIDSON – BUILDING INSPECTOR REPORT and COURTHOUSE UPDATE

Building Inspector, Wayne Davidson, gave his monthly report, with three (3) new residences. Good progress on the new courthouse, Davidson had an asbestos inspection previously done on the old courthouse, which showed very little and Commissioners asked him to move forward and contact someone to remove it. There was discussion on short term rentals, mentioning parking, health and safety as prime concerns. Davidson mentioned courthouse custodian and maintenance for the future.

MITCH POULSEN – PLANNING and ZONING ADMINISTRATOR – RECOMMENDATION KOLBY ROMRELL REZONE – Action Item/JEFF SORENSEN, KELLER ENGINEERS – ROAD STANDARD

Mitch Poulsen, Planning and Zoning Administrator, met to give recommendation from the Planning and Zoning Board to approve Kolby Romrell's rezone from agricultural to rural community.

MOTION: Commissioner Jensen made a motion to accept the Planning and Zoning Board's recommendation to approve Kolby Romrell's rezone from agricultural to rural community, seconded by Commissioner Rasmussen, motion carried. Commissioner Payne abstained from voting based on relationship to the applicant.

Jeff Sorensen, with Keller Associates, presented the Commissioners with a condensed version of Highway and Street Guidelines to review before the next meeting. Sorensen mentioned the Dingle East Shore project, the environmental process is under way, documents have been sent to the National Wildlife Refuge, Fish and Wildlife and hope to have the final on the design by the end of summer.

CRAIG SCHAAR – BEAR LAKE WEST POA – MOUNTAIN WAY

Craig Schaar, Steve Howard and Marty Phipps, Bear Lake West POA, met with the Commission to discuss help with a curve on Mountain Way Road and Dutch Canyon, suggesting taking out the hump in the road. Superintendent Scott Esquibel mentioned the drainage problems and would need two (2) culverts. Bear Lake West POA would need to get a permit.

ALAN EBORN – EMERGENCY PLANNING

Alan Eborn, Emergency Manager, and Coroner Chad Walker met with the Commissioner to discuss the current Coronavirus and need for preparation now and with the summer influx to come. Eborn mentioned conversations with the hospital, Allred Center as a relocation center if needed, protect the infrastructure and working from home. They are trying to beef up supplies. Most important is to stay home if sick, good hygiene, washing hands, avoiding crowds and suggested wiping or spraying down the counters. Coroner Walker wanted to know the plan for the County, if someone in Bear Lake County contracted the virus, would they shut down the schools, businesses, tour buses, etc. Eborn mentioned public announcements would need to go out. One of Eborn's main concerns was the EMS personnel and high-risk individuals and keeping the social distance. Commissioner Rasmussen mentioned the Sixth District Health Department does have a plan. It was suggested to have Eborn visit the Senior Center.

Sheriff Heslington presented his monthly report and was currently interviewing to fill an open position.

PUBLIC COMMENTS

No public comments

SCOTT ESQUIBEL – COUNTY SUPERINTENDENT

County Superintendent, Scott Esquibel, presented his monthly reports on the Road and Bridge and Landfill. Weed Supervisor, Todd Transtrum has been working on the mapping, making scaled maps being able to view different sections and it will be very helpful.

EXECUTIVE SESSION – IDAHO CODE #74-206

MOTION: Commissioner Jensen made a motion to leave the regular meeting and convene into an executive session pursuant to Idaho Code #74-206 (1)

(a) 'To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy

or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general'

(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.

(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel does not satisfy this requirement, seconded by Commissioner Payne.

Roll call vote – Commissioner Jensen – Yes, Commissioner Payne – Yes, Commissioner Rasmussen – Yes, voting was unanimous in the affirmative. Board went into executive at 12:05 p.m. Let the minutes show that Prosecutor Adam McKenzie, Deputy Clerk Mindy Williamson and Clerk Garner were invited to attend.

Board out of executive at 12:36 p.m.

Prosecutor McKenzie wanted clarification on the waiver forms for lease or rent of the Allred Center and the type of events or activities being conducted there. McKenzie is also working on the bid to use the two (2) buildings during the 2020 Fair time. McKenzie mentioned the need to go back to executive for a legal item, prior to him having to leave for a couple of hearings.

MOTION: Commissioner Jensen made a motion to go back to executive session pursuant to Idaho Code #74-206 (1)

(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel does not satisfy this requirement, seconded by Commissioner Payne.

Roll call vote – Commissioner Jensen – Yes, Commissioner Payne – Yes, Commissioner Rasmussen – Yes, voting was unanimous in the affirmative. Board went into executive at 12:45 p.m. Let the minutes show that Prosecutor McKenzie and Clerk Garner were also in attendance.

Board out of executive at 1:05 p.m.

JARED NORTON – T-O ENGINEERS BID OPENING – AIRPORT REHAB PROJECT – Action Item

Jared Norton and Nathan Cuvala with T-O Engineers, and Airport Board Chairman, Danny McClendon, met with the Commission for the bid opening of the Airport Rehab Project. There were four (4) bids submitted. Commissioner Rasmussen stated the notices had gone out and then opened the bids as follows:

DePatco Inc. - \$3,636,777.88

Jack B. Parson Companies (Staker & Parson Co. dba Idaho Materials and Construction) - \$3,030,050.00

LeGrand Johnson Construction Company - \$3,260,638.79

Knife River Corporation – Mountain West - \$4,325,361.00

The low bid was Jack B. Parson Companies (Staker & Parson Co. dba Idaho Materials and Construction) with the bid of \$3,030,050.00. It will be reviewed and go through Federal approval prior to the bid being awarded.

DANNY McCLENDON – AIRPORT SNOW REMOVAL – Action Item

Danny McClendon, Chairman of the Airport Board, met with the Commission regarding snow removal equipment options, as the equipment is not adequate anymore. They have a grant they are looking at and they need to provide a building for the equipment.

MOTION: Commissioner Payne made a motion to move ahead on the new building and then purchase the snow removal equipment, seconded by Commissioner Jensen, motion carried.

SCOTT HYMAS – EMS VEHICLE GRANT APPLICATION – Action Item

Chief Deputy Clerk, Amy Bishop, filled in for Scott Hymas with the Bear Lake County Ambulance Service, as he was not able to be present and met with the Commission regarding the EMS grant to replace some older equipment. They needed a letter and the grant application signed by the Chairman of the Board.

MOTION: Commissioner Jensen made a motion to have Commissioner Rasmussen sign the letter and grant application, seconded by Commissioner Payne, motion carried.

NATE BISCHOFF – SHEEP CREEK ROAD

Nate Bischoff met with the Commission to discuss Sheep Creek Road and concern about being denied access to his property and cabin by a third party, leasing Dennis Hunzeker's property. Commissioners mentioned the road goes to BLM, should not be shut off and felt the Fish and Game would be behind them also. Commissioners appreciate his time and information.

MICHAEL MURDOCK – SKINNER CANYON ROAD MAINTENANCE

There was confusion regarding Michael Murdock attending the meeting, it should have been by phone.

ED LYON, VETERAN'S OFFICER – IDAHO GOLD STAR FAMILY MEMORIAL MONUMENT – Action Item

Veteran's Officer, Ed Lyon, met with the Commission to discuss a letter they had received regarding the Idaho Gold Star Family Memorial Monument and the goal for a fundraiser. Commissioners discussed with Lyon about working on fund raising ideas for our own veteran's memorial park, which he was in agreeance.

BOARD OF EQUALIZATION – Action Item

There were no Board of Equalization appeals.

ROAD STANDARDS

There had been discussion on road standards earlier in the meeting.

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

Meeting adjourned at 2:25 p.m.

VAUGHN N. RASMUSSEN, CHAIRMAN

ATTEST: _____

CINDY GARNER, Clerk of the Board

DATE: _____