

## **BEAR LAKE COUNTY COMMISSIONER'S MEETING**

**MAY 11, 2020**

**BEAR LAKE COUNTY COURTHOUSE, PARIS, IDAHO**

The Board of Bear Lake County Commissioners met in their regular meeting by teleconference in accordance with Governor Little's "Stay at Home order" on Monday, May 11, 2020 at 9:00 a.m. at the Courthouse in Paris, Idaho. Members present were Commissioners' Vaughn N. Rasmussen, Chairman, Bradley D. Jensen, Rex L. Payne and Clerk of the Board, Cindy Garner.

Others present were Treasurer Tricia Poulsen, Building Inspector Wayne Davidson and by phone Sheriff Bart Heslington, Assessor Heber Dunford, County Superintendent Scott Esquibel and The News-Examiner Reporter, Valerie Hayes.

### **APPROVE AGENDA**

**MOTION: Commissioner Payne made a motion to approve the agenda with the addition of Indigent Public Defense Financial Assistance and ratify the budget hearing date, seconded by Commissioner Jensen, motion carried.**

### **ELECTED OFFICIALS MEETING/COMMITTEE ASSIGNMENTS**

Treasurer Tricia Poulsen mentioned that mobile homes cannot go delinquent and the law states the commissioners may take ownership, there is one, the owner has passed, so it has been vacant. Poulsen asked Assessor Dunford to go look at it, it is on someone else's property, may be classified as a shed, but has little value. The taxes on it are \$40 and Treasurer Poulsen would suggest cancelling those taxes and will present it at the June meeting for the Commission's decision.

Assessor Heber Dunford mentioned he would have an employee in motor vehicle retiring this year and another in the appraisal department may be leaving. Commissioner Rasmussen suggested those be in writing, with the right to retract. Assessor Dunford mentioned the phones are busy with business items, but they are keeping up.

Commissioner Jensen mentioned they had the Regional Commission meeting by video conference discussing the budget, getting closer to finalizing the draft for the road standards and working on the light at the fairgrounds with Superintendent Esquibel. Esquibel has the work order, the estimator is scheduled to come next week, and he will continue to follow up. Commissioner Jensen has been doing research on a policy for use of county equipment and will get some legal advice before moving forward. The streetlight will be in the county's name and once the power is hooked up, it will be put into the city's name, Montpelier's Mayor Sharp is onboard. The Regional Landfill has not had meetings but is still moving forward, hope to have some answers in the next four (4) to six (6) weeks. Commissioner Jensen mentioned doing research, as requested, on short term rentals and acquired different policies to review and look at a transient tax to be collected. Treasurer Poulsen mentioned the treasurers checked into it and it is a local option tax and it goes to the cities and the cities would need to create a recreational district. Treasurers suggested getting in touch with the Ketchum Mayor regarding information. Commissioner Rasmussen mentioned looking at it in the past and it was not received well, as it was an

added fee to the hotel fee amount and felt that would discourage customers. Some cities are collecting the tax, but no counties in Idaho, and Idaho and Utah are different as the money goes to the State in Idaho, then they would send back a portion, Utah gets it back and uses it for advertising for hotels and short term rentals. Sheriff Heslington mentioned need for help on the infrastructure, police, fire and sanitation, but it does not go there.

Sheriff Heslington mentioned they have seen increased activity in the area, his office is locked, open by appointment, scheduling one (1) at a time and it seems to be working. Heslington has been working with Ryan Judd, Superintendent for Big D Construction and Building Official, Wayne Davidson on finalizing the dispatch, 911, and dispatch equipment, getting ready to move early June and working with ITD (Idaho Transportation Department) to which Commissioner Payne confirmed. Heslington has not heard of a jail bed rate increase, the billing has been a bit different, contract has a minimum regardless of use per month, but given Covid-19, they are only billing for actual bed space used.

Commissioner Payne mentioned he is working with Prosecutor McKenzie and the Fair Board, as they are moving forward with the Fair, but have a contract in place if they need to cancel due to Covid-19, and not getting stuck with payments. Commissioner Payne mentioned the airport, in the past two (2) years, has been hit with culverts being rusted out, had two (2) on the main road last year and just had two (2) more at the airport that had to be replaced. Another was plugged up and he has been working with board member, Richard Nelson, who is over the water operations. Trevor Keetch, Airport Manager, is repairing some of the fencing. Commissioner Payne mentioned they will start the runway repaving by July 1<sup>st</sup>. The SCS (Soil and Water Conservation District) want to get started with the Dyers Woad program by May 22, 2020 and would like a dumpster. Regarding the new courthouse, hope to move in around June 7<sup>th</sup> and 8<sup>th</sup>. They took care of the water line area that was too shallow in about two (2) hours. In looking at the propane usage, Judd figured it will save 25 percent compared to the old building and Commissioner Jensen will check on the contract for that. Direct Communications will work with them to get the pedestal next to the old building buried. University of Idaho will not be filling the vacant extension agent position at this time in Bear Lake County due to financial concerns.

## **GENERAL ACTION ITEMS**

### **RATIFY CLAIMS**

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

### **APPROVE MINUTES**

**MOTION: Commissioner Jensen made a motion to approve the minutes for 4-13-2020, seconded by Commissioner Payne, motion carried.**

### **CONTRACT with MORTUARY**

Clerk Garner mentioned it was suggested to get a contract with the mortuary regarding Indigent Burial fees, Deputy Clerk Jamie Humpherys has obtained several copies of contracts and sent to Coroner Chad Walker. Will follow up next month.

### **CUSTODIAN/MAINTENANCE**

Treasurer Poulsen brought up the need for custodian and maintenance person(s) for the new building, as it will be different cleaning and maintenance than the old building. Discussion regarding contracting for both maintenance and cleaning was looked at and having Building Official, Wayne Davidson be the supervisor over each. It will be addressed at the June meeting.

#### **INDIGENT DEFENSE FINANCIAL ASSISTANCE**

This is \$25,000 grant money to assist the public defender with salaries, conflict attorneys, staff and what they need to provide adequate service.

**MOTION: Commissioner Payne made a motion to sign the Indigent Defense Financial Assistance application, seconded by Commissioner Jensen, motion carried.**

#### **BUDGET HEARING DATE**

The budget hearing date needed to be to the assessor's office by April 30 in order to put it on the assessment notices, therefore the need to ratify the date chosen.

Prosecutor Adam McKenzie joined the meeting by phone.

**MOTION: Commissioner Jensen made a motion to ratify the County Budget Hearing date of August 17, 2020 at 9:00 a.m. in the Courthouse in Paris, Idaho, seconded by Commissioner Payne, motion carried.**

#### **WAYNE DAVIDSON – BUILDING INSPECTOR REPORT/COURTHOUSE UPDATE**

Building Inspector, Wayne Davidson, presented his monthly report and building is slowing increasing. The new courthouse is coming together, desks and chairs have been delivered, working with I.T., ISP, Inlets and hope to have the phones, dispatch and 911 going in on June 5, 6 and 7<sup>th</sup> and have the Sheriff, dispatch and the DMV (Department of Motor Vehicles) open on June 8<sup>th</sup>. Appreciated Judge Garbett and help from the football team and coaches in getting a lot of boxes, desks and cabinets moved over and chairs put together. Commissioners mentioned doing the open house the afternoon of July 13<sup>th</sup> after their regular meeting if all goes well with continued opening up according to the Governor's plan. Davidson mentioned the struggle with Century Link and hooking up the fiber optic line, there are only four (4) counties that are not on fiber optic, but he is still working on it.

#### **DAVE LONGFELLOW – GARBAGE FEES**

Dave and Vanessa Longfellow appeared by phone to inquire about past garbage fees for 2015, 2016 and 2017 they felt they had been charged wrongly for. There was discussion on the size and how many times being dumped. Commissioner Jensen will get with all parties involved and follow up with the Longfellow's.

#### **KATHY RAY – FOUR COUNTY ALLIANCE (CASI) – UPDATE and ANNUAL FUNDING REQUEST**

Kathy Ray, Four County Alliance of S.E Idaho, appeared by phone to update the Commission, had emailed a newsletter on helping businesses, showing some attraction, expansion, retention, workforce development and grants. Ray has been working with Amy Bishop at the county, Bear Lake Classifieds, Oregon Trail Eye Center and other counties. Commissioner Rasmussen inquired why we did not see the Bear Lake Education Foundation or the Bear Lake County Library listed as many other areas were listed.

Ray will check into that and has submitted the request for the annual funding of \$6,000, which Commission reminded her it would be based on where the budget ends up.

### **MICHAEL DUNCAN – MONTPELIER DISTRICT RANGER – FOREST SERVICE UPDATE – OPENING CAMPGROUNDS and CAVE**

Montpelier District Ranger, Michael Duncan, appeared by phone as requested by Commissioner Payne, to give an update regarding opening the campgrounds and Minnetonka Cave. Duncan informed the Commission that recreational areas are under a forced closure at this time until May 31<sup>st</sup>, June 1<sup>st</sup> opening will be single use sites, the big group areas will be open for single use only, the trail heads are open, the restrooms have minimal maintenance. Rental cabins are closed till July 1<sup>st</sup>, then reassess, they have no staff to clean. Minnetonka Cave is scheduled to open on June 5<sup>th</sup>, but will reduce number of tours per day and size of group limit to nine (9) plus the guide to control the amount of traffic. Campgrounds and cave are under a private contract. There are no fire restrictions at this point, getting campgrounds ready and will be no groups over 10 people for camping. The fire crew is trained and ready and have worked with Fire Marshall Mark Parker to keep the engines cleaned and ready, will try to put out and manage rather than bring in crews from all over. Firewood permit sales are scheduled to begin on June 1<sup>st</sup>, but not sure yet.

### **PUBLIC COMMENTS**

Treasurer Poulsen mentioned the current custodian and maintenance at under twenty hours a week is what is budgeted. Commissioners felt best to keep it at that for the time being and then evaluate after we get in the new building.

### **SCOTT ESQUIBEL – COUNTY SUPERINTENDENT**

County Superintendent, Scott Esquibel, presented his monthly reports, Road and Bridge busy with April snow, then repairing potholes the next day. They have been cleaning out culverts from all the beaver dams, repaired the bridge on the Liberty/Sharon Loop route. They have hauled the chips for the summer jobs, have put up the radar and traffic counters. Two (2) grants ongoing, the Dingle East Shore Road and in St. Charles, Jericho Loop Bridge . Commissioner Rasmussen suggested setting the last of May for a yearly date before opening up Left Hand fork of Georgetown Canyon as it is a groomed trail. The Landfill with the garbage tonnage is as busy as summer, the month of April had five (5) tons more a day than last year at the same time. Commissioner Payne relayed that Dave Crammer from the Airport Board appreciated the widening and straightening of the Paris Bridge, Esquibel appreciated the Bird Refuge also working with them. Esquibel mentioned they had one employee resign, so they are advertising for another employee at the landfill.

Commissioner Jensen inquired about adopting the updated Road Standards and Prosecutor McKenzie confirmed it should be by ordinance so would need a public hearing. Commissioners decided on June 22, 2020 at 9:00 a.m. in the courthouse and staying six (6) feet apart per Governor Little's order. Commissioner Jensen mentioned the letters of support for the East Shore Road from the Idaho Congressional Delegation, with Risch's, Crapo's and Simpson's offices, are a real help.

Commissioner Rasmussen mentioned the reopening plan is moving along, if all goes well the restaurants will be able to have dine-in service but still keeping the distance. Idaho and Governor Little were

recognized by Washington D.C. for the way the Covid-19 virus has been handled. The Bear Lake County Library will open up on Monday with restrictions.

Clerk Garner mentioned meeting with the department heads for reviewing budgets the afternoon of their June meeting.

**BOARD OF EQUALIZATION – Action Item**

There were no appeals.

**EXECUTIVE SESSION**

Prosecutor Adam Mckenzie requested they go to an executive session Idaho Code #74-206 (1) (a), (d) & (f) described below.

**MOTION: Commissioner Jensen made a motion to leave the regular meeting 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’**

**(d) To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code.**

**(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’.**

Prosecutor McKenzie and Clerk Garner were invited to attend.

Board went into executive at 12:10 p.m.

Board left executive session at 1:00 p.m. Items discussed were an employee issue and a tort claim.

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

Meeting adjourned at 1:04 p.m.

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**VAUGHN N. RASMUSSEN, Chairman**

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**Date Approved**

**ATTEST:** \_\_\_\_\_

**CINDY GARNER, Clerk**