

BEAR LAKE COUNTY COMMISSIONERS' MEETING

JUNE 10, 2019

SCHOOL DISTRICT #33 BOARD ROOM

The Board of Bear Lake County Commissioners met in a regular meeting on Monday, June 10, 2019, 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 Clerk of Board, Cindy Garner.

Others present were Treasurer Tricia Poulsen, Sheriff Bart Heslington, County Superintendent Scott Esquibel, The News-Examiner Reporter, Valerie Ross, citizens Jean Alleman and Robin Owsley.

APPROVE AGENDA

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

ELECTED OFFICIALS MEETING/COMMITTEE ASSIGNMENTS

Treasurer Tricia Poulsen reported there will be tax deeds on the following properties, Bruce Burgoyne, Florence Dayton's minerals, Floyd Marshlain's, home property and his gravel pit. The County will keep using the gravel pit for fourteen months per statute, prior to sale. The other properties will go for auction in September.

Sheriff Bart Heslington gave copies of his monthly report and mentioned the increase of activity with summer upon us. They are working on improving the signage on North Beach Road, the SRO (School Resource Officer) has been put back on the regular patrol shift.

Commissioner Rasmussen asked Prosecutor McKenzie about preparing a deed for Maverik and inquired if the soil testing had been done. It will be checked into.

Clerk Garner gave the Commissioners a draft copy of the Historical Society bylaws to review, got clarification on subdivision signatures and other housekeeping items.

WAYNE DAVIDSON – BUILDING INSPECTOR REPORT

Building Inspector Wayne Davidson, presented his report noting the increase in new residence permits. Davidson stated the weather slowed construction on the new courthouse a bit, but they are catching up.

KERRY HONG AND ASHLEY BRINGHURST – PROBLEM SOLVING COURT – DISTRICT 6

District Court 6 TCA (Trial Court Administrator), Kerry Hong, first wanted to give a heads up to Wayne Davidson on the new courthouse that the Supreme Court has in their 2020 budget for the wiring and setting up the technology for audio and video for the courtroom and the auxiliary courtroom, so be sure to get with them. Davidson stated he has been in contact with Twisted Technology already and they are working together. Hong introduced Ashley Bringhurst, Director of District 6 Treatment, who is helping to work on getting every specialty court under the District 6 treatment program. Hong discussed the need and success of the problem-solving courts, however, District 6 would like to raise the bar with the continuity of good treatment, which has been difficult to keep in rural areas. The District has been working on a multi-year project, with the support of the judges and the counties, have been looking at

treatment and consolidating it and capitalizing the need within all six (6) counties to keep a consistent level of high quality treatment whether in Bannock County or Bear Lake County. Bannock County would be the fiscal entity and employing entity. Hong stated the first transition will be in a couple of weeks and have the other counties in the District on board by the end of August. Bringhurst stated she was excited to be here and see success. Hong stated August 5th would be Bear Lake County's target date. They are a publicly funded entity, but hope to be self-funded. Hong informed the Commissioners the need of an ADA compliant facility space on a temporary basis for sixty to ninety days for counselors to meet two (2) days a week with about thirteen people plus a counselor. Commissioner Rasmussen mentioned the hospital and gave Bringhurst contact information.

BID OPENING – STRUCTURE BID – EIGHT MILE CANYON BRIDGE -APPROVE CONSTRUCTION BID NOTICE

Commissioner Rasmussen read the bid notice for the 'Structure Bid', there were two (2) qualified bids. ConTech's bid was \$142,770 and Old Castle Infrastructure's bid was \$65,650. Commissioners asked Corey Lyman, Idaho Fisheries Biologist for the Forest Service and Superintendent Scott Esquibel to review as there was such a large difference in bids. Lyman stated they were ready to put out the notice of bid for the Construction and will publish it the next two (2) weeks to be opened at the Commissioner meeting on July 8, 2019 at 10:00 a.m.

MOTION: Commissioner Jensen made a motion to move forward and except the lowest bid, after review from the design team, seconded by Commissioner Payne, motion carried.

ITD – ALISSA SALMORE, TARA CAPSON, DARCY LINFORD AND MEGAN STARK – US 30 ROCKY POINTE PROJECT UPDATE

ITD (Idaho Transportation Department) staff, Alissa Salmore, Tara Capson, Darcy Linford, Chris Picisol, DeLoy Romrell, along with Matt Pieron with IDWFG (Idaho Wildlife and Fish and Game) updated the Commission on the Rocky Pointe project stating they had just been approved for the wildlife crossing at a construction cost of \$5.5 million. These crossings have proved very beneficial for both the wildlife and the motorists, seeing it has been a huge problem in certain areas. Statistics show 20% of all collisions have been wildlife accidents. Commissioner Payne suggested funneling away from the railroad and how they would handle county land and a home in the area. Pieron stated there would be wide cattle guards on access roads. Salmore stated the project is about five (5) years out and they want Bear Lake County to be part of the process

MOTION: After review of the structure bids, Commissioner Jensen made a motion to amend the prior motion to award the bid to the lowest bidder of Old Castle Infrastructure at \$65,650, seconded by Commissioner Payne, motion carried.

MARK PARKER – FIRE MARSHALL – (WUI) WILDLIFE URBAN INTERFACE CODES/BURN ORDINANCE

Fire Marshall Mark Parker stated the need to adopt the CWPP (Community Wildfire Protection Plan) and adopt the National Fire Code. Emergency Manager Alan Eborn mentioned doing an addendum to the original plan with the necessary changes on the Mutual Aid agreement, Commissioner Rasmussen stated it would have to be separate. Parker mentioned the WUI (Wildland Urban Interface) codes and should have a five (5) year plan to be updated every year. Parker and Eborn would like to have a meeting to discuss the fire plan and need an updated map of Bear Lake West and the east side of the lake also and

would like to help educate the citizens. Commissioner Rasmussen brought up a Wildfire Risk Management power point that is excellent and would encourage everyone to take time to watch it. Rental properties are also a concern as those renting most likely do not know how to evacuate. Commissioners suggested the need for more public education and asked Parker and Eborn to work on a plan and bring information to the July meeting and they will schedule a public meeting. These codes would need to be done with ordinances. What really sparked this is an incident near the mouth of St. Charles Canyon and the owner felt he didn't need a burn permit. Parker would remind the public that ditch burning has to meet the requirements and needs to be okayed by the fire chief. Ditch companies would help and the fire station can have a truck available to be on site. Prosecutor McKenzie mentioned a couple of items from the ordinance, which should be revised and updated. McKenzie suggested a public hearing so the public is aware of any changes. It will be on the agenda for July for further discussion.

PUBLIC COMMENTS

There were no public comments.

BLAINE NEWMAN – BLM PROJECTS UPDATE

Bureau of Land Management's, Blaine Newman, Pocatello Assistant Manager, introduced Melissa D. Warren, Field Manager, who has been with the BLM for almost two (2) years. Newman mentioned if we did have any fires BLM wise, contact them with any questions. They had a public meeting a couple of weeks ago on the fuel reduction project, also tied to prevent fires, which is a continuation of what was started down by Loveland Lane in Fish Haven and working north on BLM private boundaries. Commissioner Rasmussen inquired that BLM talked of selling land years ago, then it quieted down. Newman stated it had expired, then came up again, the Paris parcel was going to be retained. Rasmussen mentioned those small properties, or parcels, not accessible would be beneficial for access. Rasmussen stated they would still like to build a snowmobile parking lot, Newman stated the county is still good on that one. Warren mentioned the proposal of an ITD crossing that has been being monitored for years and will move forward in the next couple of weeks. Warren stated they would be down checking the conditions of the grazing allotments prior to permits.

MIKE DUNCAN – FOREST SERVICE

Mike Duncan, District Ranger and Dell Transtrum, Recreation Specialist, met with the Commissioners and discussed winter recreation and areas designated on a travel management plan for non-motorized winter recreation. Transtrum stated there has been interest and have talked to the tri-county groomers, they are fully supportive to get the non-motorized vehicles off the groomed trails. They are looking at Emigration Canyon at Copenhagen Basin parking lot, which is huge for snowmobiles but also has a lot of non-motorized trails and looking at doing a Park & Ski Pass parking lot. They have been working on it and have obtained some funding and are trying to get more funding in a grant through Idaho Department of Parks and Recreation and hope to have some personnel this winter. Transtrum stated that if the county would like to participate, with him writing the grant, the county could get the equipment and they could both use. It was mentioned about a trail at the golf course may be possible. Duncan stated the Logan District had established a Nordic club and were very interested. Transtrum would contact Commissioner Jensen and come up with an M.O.U. and look at the cost. Transtrum

mentioned Bloomington Lake will have a \$5.00 fee area as an honor system at this point, which is from Memorial Day to Labor Day.

SCOTT ESQUIBEL – COUNTY SUPERINTENDENT

County Superintendent Scott Esquibel mentioned still waiting to hear on the grant for the Eight Mile Bridge, if not acquired, would have to scrap the project. Esquibel presented his Road & Bridge monthly report, lots of work going on and then presented the Solid Waste monthly report.

ADAM MCKENZIE – PROSECUTOR BUDGET

Prosecutor Adam McKenzie presented his budget to the Commissioners.

EXECUTIVE SESSION

MOTION: Commissioner Payne made a motion to leave the regular meeting and go into an 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 at an executive session does not satisfy this requirement’, seconded by Commissioner Jensen.

A roll call vote was taken, it was unanimous in the affirmative.

Board out of executive.

BOARD OF EQUALIZATION

There were no appeals.

RATIFY CLAIMS

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

APPROVE MINUTES

Commissioner Jensen made a motion to approve the minutes for 5-13, 5-24, with the addition of a second from Commissioner Payne on a motion to approve, and 5-29-2019, seconded by Commissioner Payne, motion carried.

GRANT APPLICATION – EAST SHORE ROAD

Tyler Stuart and Mike Hawley with Jones and DeMille, discussed a Build Grant in which half of the monies are set aside for rural communities. In rural areas, they can apply for 100% grant, if the county would do pre-construction, which is about \$6,000 to \$7,000 to prepare. Commissioner Jensen asked if it would work for bike paths, but Stuart stated there are other grants for those. When Rich County did their project it was funded through multiple grants and they applied for all.

MOTION: Commissioner Jensen made a motion to apply for the Build Grant and hope to get a Block Grant, seconded by Commissioner Payne, motion carried.

JARED NORTON, NATHAN CUVALA – T.O. ENGINEERS – AIRPORT UPDATE

Jared Norton was unable to attend. Nathan Cuvala with T.O. Engineers spoke about a grant that is targeted for rural areas, shovel ready and the Bear Lake County Airport was awarded \$6.4 million with no FAA match. They already have the design with the \$150,000 a year grant to use on the project, with our match of \$7,500. It will be used on the 1028 Runway, the timing and bidding should be this fall. They anticipate the 1028 runway would be closed for 30 days. Commissioner Payne asked about the Dingle Tower. Nathan stated the Dingle Tower, which is 199 feet, which would penetrate 100 to one (1) surface, so they will be filing the notice of proposed construction. Commissioners feel the county will be benefited greatly by this grant and upgrade and are looking at becoming a regional airport before this is all done.

BILL STOCK – PLANNING AND ZONING BYLAWS AND ETC.

Bill Stock had to cancel, will reschedule.

JOAN MAIORANA – PROPOSED 911 EMERGENCY SOLUTION

Joan Maiorana, after having some concerns over the 911 service, showed the Commission a presentation for emergency services, WUI codes, etc., entitled Map To Track. Maiorana will scan and send to Clerk Garner to forward to the Commissioners for further review. The Commissioners appreciated Maiorana coming with possible solutions to a problem.

DANNY MCCLENDON – AIRPORT BUDGET

Danny McClendon presented the proposed airport budget to the Commissioners.

SHERIFF BART HESLINGTON – BUDGET

Sheriff Bart Heslington presented proposed budgets for the Sheriff Department, E911, Waterways and Snowmobile to the Commissioners. Heslington stated he is working hard to get the comp time down and Dispatcher Gene Perkins would be retiring by the end of the month.

SURPLUS PROPERTY

Commissioners will get a complete list to be presented at the June 24th meeting.

PLANNING AND ZONING RESOLUTION – APPOINT MEMBERS,

Commissioner Rasmussen read Resolution #2019-09 appointing members to the Planning and Zoning Board, as follows:

Albert Johnson appointment to be considered effective as of April 2018, with the three (3) year term to expire in April of 2021,

Steve Hardy appointment to be considered effective as of April 2017, with the three (3) year term to expire in April 2020,

Kristy Crane appointment to be considered effective as of January 2017, with the three (3) year term to expire in January 2020,

Sean Bartschi appointment to be considered effective as of May 2018, with the three (3) year term to expire in May of 2021 and,

Kay Beck appointment to be considered effective as of September 2018, with the three (3) year term to expire in September 2021,

Adopted this 10th day of June, 2019. The complete resolution can be viewed at the Clerk's office.

MOTION: Commissioner Jensen made a motion to approve Resolution #2019-09 appointing Albert Johnson, Steve Hardy, Kristy Crane, Sean Bartschi and Kay Beck as members of the Planning and Zoning Board for terms of three (3) years each, as shown in the complete Resolution #2019-09, seconded by Commissioner Payne, motion carried.

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

Meeting adjourned at 3:50 p.m.