

The Board of Bear Lake County Commissioners met in their regular meeting on April 10, 2017 at 9:00 a.m. in the Allred Center at the Fairgrounds in Montpelier, Idaho. The School District #33 Board Room was unavailable this meeting. Members present were Chairman Vaughn N. Rasmussen, Bradley D. Jensen, Rex L. Payne and Clerk of the Board, Cindy Garner.

Also attending were Treasurer Tricia Poulsen, Assessor Lynn Lewis, County Supervisor/Planner Scott Esquibel, Sheriff Bart Heslington, Prosecutor John Olson, Building Inspector Wayne Davidson, Daniel Bishop, The News-Examiner reporter, Richard Barako and Jean Alleman.

#### APPROVE AGENDA

Commissioner Payne made a motion to approve the agenda with the addition of Bear Lake West HOA, seconded by Commissioner Jensen, motion carried.

#### ELECTED OFFICIALS/COMMITTEE ASSIGNMENTS

Treasurer Tricia Poulsen stated she had been to a meeting regarding unclaimed property that was very informative and helpful.

Assessor Lynn Lewis mentioned the BOE training will be coming up in May at the Bannock County Landfill building and urged at least one commissioner to attend.

Commissioner Jensen mentioned there were many road issues and that Scott would be addressing that in more detail. They had to rent a backhoe and could use two. He had attended a SEICOG meeting and there may be the revolving block grant again.

Prosecutor John Olson stated he would be gone May 2<sup>nd</sup> through May 5<sup>th</sup> as Montpelier City is sending him to a forensic training and other expenses would come out of his pocket.

Sheriff Bart Heslington presented his monthly report and also stated they had ordered the new vehicle. Commissioners asked about the vehicle being replaced and if it could be used for another department, however, Sheriff Heslington stated they needed to use it as their pool car as they had a transmission go out in another vehicle so they will be keeping it at this point.

Clerk Cindy Garner presented the Commissioners with the list of board members as asked and would work on getting them updated. She mentioned the reduced SRS (Secure Rural Schools) funds to put in the back of their minds for the upcoming budget year. She also presented them with a letter of support request from the BLM regarding Caldwell Canyon Mine Environmental Impact Statement.

Commissioner Payne made a motion to approve a letter of support to the BLM for the Caldwell Canyon Mine Environmental Impact, seconded by Commissioner Jensen, motion carried.

#### BUILDING INSPECTOR REPORT

Wayne Davidson, Building Inspector, presented his report with things picking up this spring. He also had copies of the Pictometry usage information for the Commissioners as requested. He stated he wanted to be proactive in getting several items handled in readiness to move forward on the new courthouse,

such as the fire station housing the Paris fire truck, the State Parks & Recreation building and a power pole that would need to be moved. All these things take extra time so being prepared ahead of time would be helpful. Davidson mentioned he had taken quite a few calls as the flood plan coordinator with all the additional water.

#### JOHN DZIUBEK – GARBAGE FEES/TITLE TO LOT 4, BLK 15, BURGOYNE ADDIT., JEHOVAH WITNESS KINGDOM HALL

John Dziubek addressed the Commissioners regarding the garbage fees on the Jehovah Witness Kingdom Hall as they dissolved the congregation on December 1, 2016 and it had not been used. Commissioner Jensen made a motion to cancel the garbage fee beginning this year, seconded by Commissioner Payne, motion carried. Mr. Dziubek stated his second issue was the legal description on the property and in doing extensive research had found one of the lots had not been transferred years ago and the county showed still owning it. After review and discussion with Assessor Lewis, it was determined that the county should do a quit claim deed to the Jehovah's Witnesses. Commissioner Jensen made a motion to have the county attorney draw up a quit claim deed from Bear Lake County to the Jehovah's Witnesses to help clear up a title issue, seconded by Commissioner Payne, motion carried.

#### HAY BIDS

Chairman Rasmussen stated some had questioned whether the bid notice was clear on which hay ground was to be bid on. After some discussion and noting that the acreage was clear and would tell potential bidders which piece it was and if unclear it was up to the bidder to research. It was suggested that a map be provided also for clarification. The Commissioners went ahead with opening the bids. There were only two bids on Farm 2147 consisting of 921.7 acres of farmland of which 588.3 acres are considered as cropland.

Fred Nate - \$22,155.00 per year for a period of '5' years

Chad Hulme - \$12,334.00 per year for a period of '5' years

The bid went to the highest bidder, Fred Nate.

There was one more bid on Farm 2147 and also Farm 1186, however, they were submitted after the deadline. They were not opened. As there were no qualified bids for Farm 1186, it will be rebid in May. Bids may be reviewed at the clerk's office.

#### APPROVE MINUTES

Commissioner Payne made a motion to approve the minutes, seconded by Commissioner Jensen, motion carried.

#### RATIFY CLAIMS

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

## PLANNING & ZONING BOARD MEMBER

Commissioner Jensen made a motion to appoint Devin Boehme as a member of the Planning & Zoning Board for a term of three years, seconded by Commissioner Payne, motion carried.

## HOSPITAL BOARD MEMBER

The Commissioners looked into the role of commissioners regarding the Bear Lake Memorial Hospital Board. At this time, Commissioner Rasmussen sits as an ex-officio (non-voting) member of the hospital board. Technically, the county commissioner could be a voting member but they feel the current situation is appropriate.

## RATIFY INTERGOVERNMENTAL REVIEW – BLOOMINGTON CITY WATERLINE EXPANSION & WASTEWATER PROJECT

Commissioner Payne made a motion to sign the letter of support for the City of Bloomington's Waterline Expansion & Wastewater Project, seconded by Commissioner Jensen, motion carried.

## SCHEDULE BUDGET HEARING

Commissioner Payne made a motion to set August 21, 2017 at 9:00 a.m. as the date for the county budget hearing, seconded by Commissioner Jensen, motion carried.

## PROPANE BIDS

With the price variations in propane in the past year, the Commissioners felt it would be in the best interest of the county to have one company fill all the county's propane needs through the bidding process. Four bids were received.

ValleyWide Propane - \$1.249/cap \$1.49 for the fiscal year, no delivery or surcharge fees, tank rent will be \$1.00 per tank, any size, per year

Suburban Propane - \$1.345 (state pricing) tank rent of \$60.00 per year, delivery & fuel charges waived

Hone Propane - \$.989 price today (4-10-17), future bid cost would add \$.30. Did not show a tank rent price or state delivery or surcharges

Bear Lake Propane - \$1.299, does not state fixed price, tank rent for \$25.00 per tank

Commissioner Jensen made a motion to accept the ValleyWide Propane bid, which meets all the criteria, for the 2018 Fiscal year, seconded by Commissioner Payne, motion carried. Bids may be viewed at the clerk's office.

## STEVE KUNZ (SITE ENGINEER) BEAR LAKE TRANSLATOR

Steve Kunz from the Bear Lake Translator District wanted to make the Commissioners aware that the government had sold through auction the analog TV channels from channel 37 up. This means the translator districts and TV stations need to broadcast on new wavelengths. This will cause a disruption in television reception in the Bear Lake area, possibly for months. Through his frustration, Mr. Kunz stated that he would still do the best he could to make it work. The Commissioners expressed their appreciation for all that he does and they had presented it to legislators in Boise previously but it did not go anywhere.

#### PLANNING & ZONING – RECOMMENDATION OF CAMP GROUND ORDINANCE, CHANGES TO OVERLAY ZONE SUNSET CLAUSE

Mitch Poulsen, Planning & Zoning Director could not be at the meeting so Commissioner Jensen stated that the Planning & Zoning Commission recommended to expand the overlay zone, which allows development of parcels of ag property under 40 acres along county roads to include an area in Dingle. Commissioner Jensen made a motion to disregard the sunset clause in the overlay ordinance and accept the new overlay zone, seconded by Commissioner Payne, motion carried. Commissioners discussed the campground ordinance and suggested two changes. Commissioner Jensen made a motion regarding the proposed campground ordinance, to change 11.4, subparagraph M., ‘with the adoption of the Idaho, Bear Lake County Building Code requirements’ and under 11.7, paragraph A. ‘Planning and Zoning Board’, seconded by Commissioner Payne, motion carried.

Scott Esquibel, County Supervisor/Planner presented a spreadsheet and some pictures giving detailed information and estimates regarding the flood damage to the county roads. Some of the roads damaged include Lewis Loop, Bear Lake West Blvd., Fish Haven Cemetery Road, Dingle Cemetery Road, East Shore Road, Loveland Lane, Lanark Road (oiled portion), Mill Canyon Road and Eight Mile Road. He reported going to the Five County Joint Transportation Coalition meeting and stated some of the plans the state had, such as all Bear Lake County state highway roads would be seal coated this year and US 30 in Montpelier will receive a total rebuild at the end of the summer, working around the county fair. Future projects will include a complete rebuild of US 89 through Montpelier in 2019 and a rebuild of US 30 from Georgetown Summit to Nounan in 2019 and 2021. Esquibel also mentioned the Road & Bridge Department was in need of a new pickup truck to replace an older one that needs a lot of repairs.

#### ALAN EBORN – DISASTER DECLARATION – MUTUAL AID AGREEMENT

Alan Eborn, Emergency Manager, reported on the disaster declaration and the mutual aid agreement. He told the Commissioners that they need to make a formal call for aid. He also reported on the planning progress for the May emergency response exercises. Deputy Clerk, Jamie Humpherys, will be in Boise for some training to participate in the reporting process for the exercises.

#### BRUCE OLENICK – DEQ SPRING UPDATE

Bruce Olenick from the Department of Environmental Quality presented the spring update. He informed the Commissioners that the landfill is too big and could lose the small community exemption.

The Commissioners and Olenick discussed the possibility of the regional landfill being talked about as an option for the future.

#### JUDGE GARBETT – INDIGENT LEGAL DEFENSE

Judge Todd Garbett discussed with the Commissioners some added information he compiled regarding the indigent defense contract since they had met at the 4-County meeting earlier. He referred to some of the statutes and the county's obligation. Judge Garbett reviewed with them various options to comply with the new state mandates.

#### PUBLIC COMMENTS

There were no public comments.

#### EXECUTIVE SESSION

Commissioner Payne made a motion to leave the regular meeting and go into an executive session pursuant to Idaho Code #74-206 (b,d,f) for personnel, indigent and legal matters, seconded by Commissioner Jensen. All Commissioners voted "1" in a roll call vote. Prosecutor John Olson, County Supervisor/Planner Scott Esquibel and Clerk Cindy Garner were also invited to attend. Commissioner Jensen made a motion to leave the executive session and return to the regular meeting, seconded by Commissioner Payne, motion carried.

#### PAUL CANIZARO – PICTOMETRY

Via a conference call, Paul Canizaro with Pictometry discussed the past use and the potential for a new contract for the service. Canizaro stated that the service was customized for each county. The Commissioners asked him to send a new contract to the clerk and they would discuss it further.

#### KATHY RAY – CASI – ECONOMIC DEVELOPMENT UPDATE & SUPPORT REQUEST

Kathy Ray with the Four County Economic Development Alliance of Southeast Idaho (4CASI) presented her annual report. She reported on the YourFit workforce career event and work to fill the Montpelier Industrial Park. They have encouraged some to check out the education opportunities for the technology courses offered at College of Southern Idaho. She also discussed the hard time that brick and mortar retailers are going through right now, mentioning the closing of King's. She mentioned renewing the annual grant and would appreciate the Commissioners support. Commissioner Jensen made a motion to sign a letter of support for the 4CASI program with the commitment of \$6,000.00 and \$4,800.00 in kind for office space, based upon upcoming budget, seconded by Commissioner Payne, motion carried.

#### HEALTH DEPARTMENT BUILDING

Commissioner Jensen made a motion to approve transferring administration of the old health department building to Bear Lake Memorial Hospital, seconded by Commissioner Payne, motion carried.

## AIRPORT MANAGER

The Commissioners stated that the current manager of the airport was going to be leaving so they would need to advertise for a new manager. Commissioner Payne made a motion to move forward with publishing a notice to advertise for a new airport manager, seconded by Commissioner Jensen, motion carried.

## DESIGNATE POLLING PLACE – BAILEY CREEK – SCHOOL DISTRICT #150 LEVY ELECTION

Commissioner Jensen made a motion to approve the School District #150 taxing district levy election to be mail ballot, seconded by Commissioner Payne, motion carried.

## CANCEL OTHER POLITICAL SUBDIVISION ELECTIONS

Commissioner Payne made a motion to cancel the elections pursuant to Idaho Code #34-1407 for School District #33 Trustee, Bear Lake County Library Director and Fish Haven Recreational Sewer District Trustee as there were no opposing candidates, seconded by Commissioner Jensen, motion carried.

Two items coming out of the executive session were a 31 day and 10 day approvals on indigent medical claims. Commissioner Payne made a motion to approve the 31 day request for Medical Claim #2017-16 and the 10 day prior request for Medical Claim #2017-18, seconded by Commissioner Rasmussen, motion carried. Commissioner Jensen abstained from voting because of those involved.

## PURCHASING AND CONTRACTS

Commissioners decided to give the proposed agreement to Scott Esquibel, County Supervisor/Planner to review and get back with them next month.

The Commissioners had discussed purchasing IPADs for their use to help manage paperwork and other items for the county. It was decided to purchase one as a trial.

## Public Comments

Jean Alleman, citizen and also member of the Senior Center board, stated she has enjoyed coming to the meetings and appreciates the open communication and information given.

The additional agenda item of the Bear Lake West HOA was cancelled and possibly moved to next month.

Commissioner Payne made a motion to leave the regular meeting and return to an executive session pursuant to Idaho Code #74-206 (b) for a personnel matter, seconded by Commissioner Jensen. A roll call vote was taken and all Commissioners voted "I". Also attending were Prosecutor John Olson and Clerk Cindy Garner. Commissioner Payne made a motion to leave the executive session & adjourn the meeting, seconded by Commissioner Jensen, motion carried. Meeting adjourned at 3:00 p.m.

