

**Bear Lake County Commissioners' Special Meeting**  
**March 5, 2024**  
**Commissioners' Chambers – Paris, Idaho**

The Board of Bear Lake County Commissioners met for a special meeting at 9 a.m. Tuesday, March 5, 2024, in the Commissioners' Chambers in Paris, Idaho. Video access to the meeting also was available via Zoom. Members present were Board Chairman Bradley D. Jensen, Commissioner Rex L. Payne, Commissioner Wynn S. Olsen and Amy Bishop, Clerk of the Board. Deputy Clerk Paul Christiansen also was in attendance, as well as a few members of the public.

County Attorney Adam McKenzie was excused due to other obligations.

**APPROVAL OF AGENDA – ACTION ITEM**

**MOTION:** Commissioner Olsen made a motion to approve the meeting agenda. The motion received a second from Commissioner Payne. The motion carried.

**STATE PARKS PAYMENT IN LIEU OF TAXES – ACTION ITEM**

Susan Buxton, who serves as the director of the Idaho Department of Parks and Recreation, came before the Board via Zoom to discuss concerns with public access to Bear Lake State Park and proposed state action to combat those issues. Buxton said she had been working closely with Andy Stokes – who serves as the manager of Bear Lake State Park – and was grateful for Bear Lake County's willingness to work with the state to better serve the public's needs.

The Idaho Department of Parks and Recreation (IDPR) is working to put a purchase agreement in place with the owner of 26.19 acres of agricultural land – made up of Bear Lake County Parcel Nos. 05535.00 and 05525.00 – located south of the City of St. Charles and on the west side of Bear Lake, Buxton said. On this land, Buxton's department plans to add an additional public access to Bear Lake State Park to serve as a way to help increase accessibility for all visitors, with a focus on the local populace. Under Idaho law, IDPR is required to bring this information to Bear Lake County's commissioners in a public meeting to discuss the impact of the acquisition, said Buxton, emphasizing her desire to continue fostering a strong working relationship to ensure public use of this Idaho resource.

Because IDPR is exempt from paying property taxes, precedent work with other counties has led the department to recognize the impact such land acquisitions have on the property tax base. To help combat the tax loss that otherwise would have been collected by the county through regular assessment of property tax, IDPR had considered an in-lieu fee to be granted to the county. That remittance, if accepted by the Board of County Commissioners, will be in the form of a one-time payment of \$55,780.00, Buxton said.

Stokes, who was in personal attendance at Buxton's request, said the Department of Parks and Recreation and the local state park employees recognize that Bear Lake is a popular place and there is a need for the creation of spaces in which people can use it. By purchasing this property and by creating

another public access, the Idaho Department of Parks and Recreation is creating an avenue for more people to enjoy the lake responsibly through mitigation of overcrowding of the lake's north and east beaches and in the areas the public currently accesses, he said.

Buxton first was told of the public's desire to see additional accesses – specifically on the west side of Bear Lake – at a Board of County Commissioners' meeting held about a year ago, Stokes said, adding that Buxton wasted no time in getting to work on making that request a reality. There will be many benefits to having the additional public access point, he said, but having this opportunity to receive a lump sum from IDPR will assist with county costs resulting from its creation.

Each of the commissioners thanked Buxton for her quick turnaround on this project. The agreement that had been drafted by the state and which now was presented to the county was read aloud by Clerk Amy Bishop.

Brett Rich, whose family owns property adjacent to the area IDPR plans to purchase, had conferenced into the meeting via Zoom and asked to offer a public comment. Though this meeting was not a public hearing and no public comment was scheduled, Commissioner Jensen allowed Rich to speak.

Rich said he has concerns with the traffic impact this project will have on that area of the county. During the busy summer months, weekend traffic already is steady. In recent years, he said, the traffic flow has increased in that area even on weekdays. Rich said that he as a property owner already has difficulty making a lefthand turn into his family's lakeside property when traveling south. Additionally, he said, exiting from the property onto U.S. Highway 89 can result in long wait times. Rich said he had a hard time imagining what his personal traffic experience will be once a park is located on the neighboring property.

Rich said he also has concerns with increased noise that is sure to come with a new state park access, adding that he had spoken to Stokes about his worries and had not felt comforted.

The Rich family uses its property for agricultural practices, he said. Cattle graze on a portion of the land, and hay crops traditionally have been planted as well. While drains have been dug to drain the property into the wetlands area, Rich has received complaints from neighbors about water going on their property. If these wetlands draining techniques will no longer be lawful without permits, and because the water partially drains below the high-water mark to where the lake access is planned, Rich said he is concerned he will get additional complaints from neighbors despite using his property how it has been utilized for nearly a century.

Buxton told Rich that she was empathetic to his concerns and assured him the state wants to ensure it will be a good neighbor by following the law. IDPR plans to enforce quiet hours and, traditionally, some farmers have worked with other state parks managers to ensure their needs are met.

The purchase of the land and establishment of a state park access is purely conducted by the state, Buxton said. Bear Lake County is not required to hold a public hearing, as it is not an involved entity in that decision. However, she said, IDPR and the State of Idaho will hold a public meeting on Friday, March 8, she said.

**MOTION:** Commissioner Payne made a motion to approve the Idaho Department of Parks and Recreation's proposed In Lieu of Tax Fee Agreement and accept the one-time sum of \$55,780.00. The motion received a second from Commissioner Olsen. The motion carried.

**MOTION:** Commissioner Olsen made a motion to adjourn the meeting. Commissioner Payne seconded the motion. The motion carried.

The meeting adjourned at 9:19 a.m.

  
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BRADLEY D. JENSEN, Chairman

  
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Date Approved

ATTEST:   
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