

Bear Lake County Commissioners' Meeting
March 11, 2024
Commissioners' Chambers – Paris, Idaho

The Board of Bear Lake County Commissioners met in its regular meeting at 9 a.m. Monday, March 11, 2024, in the Commissioners' Chambers in Paris, Idaho. Video access to the meeting was available via Zoom. Members present were Commission Chairman Bradley D. Jensen, Commissioner Rex L. Payne, Commissioner Wynn S. Olsen and Amy Bishop, Clerk of the Board. Also in attendance were County Attorney Adam McKenzie, Assessor Jannelle Jensen, Treasurer Tricia Poulsen, Sheriff Bart Heslington, County Superintendent Todd Boehme, County Building Inspector Wayne Davidson, Deputy Clerk Paul Christiansen and various members of the public.

Due to another obligation, McKenzie was excused until about 9:45 a.m., at which point he joined the meeting.

APPROVE AGENDA – ACTION ITEM

While the Board discussed the meeting agenda, it discovered that Bear Lake County Prosecutor Adam McKenzie had not been listed under the "Elected Officials Updates" agenda item.

Commissioner Jensen noted that, in order to avoid a delay on necessary action, all agenda items were now listed as action items. Going forward, this will allow the Board to take action on all items that are listed on the agenda. If no action is necessary, the Board can opt to take no action, he said.

MOTION: Commissioner Payne made a motion to accept the agenda for the March 11, 2024, Bear Lake County Commissioners Regular Meeting with the addition of "Prosecutor Adam McKenzie" under the agenda item detailed as "Elected Officials Updates." The motion received a second from Commissioner Olsen. The motion carried.

ELECTED OFFICIALS UPDATES

ASSESSOR JANNELLE JENSEN

In February, the county Motor Vehicle Department took in \$88,584.26 through Idaho Transportation Department transactions. An additional \$2,007.82 was received through Parks and Recreation transactions, Bear Lake County Assessor Jannelle Jensen said.

A Pro-West geographic information systems (GIS) training official had visited Bear Lake County and offered a four-day training – Monday, February 26 through Thursday, February 29 – to Assessor's Office personnel, Jensen said. This training was designed to get the employees comfortable with the new Esri mapping system the county has adopted. During the training, some issues had been identified and relayed to the state. Resolutions for these issues are progressing, she said.

Bear Lake County received the decision regarding its only property tax appeal filed last year with the State of Idaho Board of Tax Appeals. The state had ruled in favor of the appellant, Jensen said, and now

requires Bear Lake County to lower the assessed property value for that particular property. This will be amended going forward for 2024, she said.

TREASURER TRICIA POULSEN

County Treasurer Tricia Poulsen said her office had been very busy with the tax deed process. Several property owners had scheduled appointments throughout the March 11 meeting to come before the Board of County Commissioners to discuss payment plans. Poulsen was set to turn over those properties with unpaid 2020 property taxes to the title company, at which point the title company conducts a title search for a cost of \$225. That amount is then added on to the amount owed to the county by the property owner, so Poulsen said she has been urging these delinquent property owners to get those 2020 property taxes paid before that time in order to avoid that extra cost.

Although several delinquent property owners were schedule to speak to the Board, Poulsen said she was not sure these individuals would be able to pay the owed money before June 1, at which point they will be taken to tax deed.

Poulsen provided the Board with a statement of treasurer's cash. Every penny that is not used by the county has been placed into an interest-making account, such as a Certificate of Deposit (CD), a bond or into the state pool as a way to get something for the unused funds. Eventually, the current high interest rates are going to crash, she said, but the county has been taking advantage of the situation while it can.

The state pool alone has an interest rate of 5.17 percent, she said. Last month alone, the three accounts the county has set with the state pool turned over nearly \$15,000 in interest, Poulsen said. At the end of the month, Poulsen will turn a joint quarterly report that will show balances for each of the county's accounts and will provide a broader picture of how the unused money is currently invested, she said.

SHERIFF BART HESLINGTON

Sheriff Bart Heslington said he is continuing work with the ongoing county communications project and conferring with the other emergency response agencies and members of the communication board. One issue has been discovered with Motorola, he said, adding that a fiber line connection from the Bear Lake County Courthouse to the state core in Meridian will be required in order to get the communication system operational. Heslington said he currently is determining the cost of this effort and is working with a couple of different sources to find the most economically feasible way to fulfill this requirement.

Heslington said he has identified an organization – the Iron Network – to help with this endeavor. The Iron Network is an organization that negotiates and brokers deals with internet service providers as a means to arrange fiber connection opportunities for public safety, governmental and education entities. For small, rural areas like Bear Lake County, limited provider options are available and this can lead to higher costs associated with the connection, he said.

Heslington said that, although the county has been aware there will be a requirement to connect to the state core, it has been difficult to budget for this need until some concrete cost figures are known.

RBS FUNDS AGREEMENT & USFS ANNUAL AGREEMENT

Heslington requested the Board's acceptance of the Recreational Boating Safety (RBS) Agreement with the Idaho Department of Parks and Recreation, as well as the adoption of the annual agreement with the United States Forest Service (USFS).

The RBS agreement will provide Bear Lake County with \$24,209 to be used as an enhancement for its boating safety program for Fiscal Year 2024, based on a 50 percent match from the county, Heslington said.

The annual agreement with the USFS, upon adoption, will provide Bear Lake County with \$9,205.95 in exchange for patrol efforts that will be conducted by the Bear Lake County Sheriff's Office on Forest Service roads, in campgrounds, developed sites and dispersed areas through December 31, 2024.

MOTION: Commissioner Olsen made a motion to approve the Recreational Boating Safety Agreement and the United States Forest Service Annual Agreement. The motion received a second from Commissioner Payne. The motion carried.

CLERK AMY BISHOP

On February 22, staff from the Bear Lake County Clerk's Office attended an elections training in Bonneville County, Clerk Amy Bishop said. The training had focused on the software used in Idaho's elections processes and provided information on the specifics so those in attendance could get more familiar with how it is used and what its purpose is.

Bishop said there have been some changes with the district trial court administrator, their deputy and staff. She expects the administrator will attend the April Board meeting to speak with the commissioners.

The state has chosen to split its court network from the county's network as a means of keeping the two entities separate in order to make the system more secure at the state's end. The updates will be implemented at no cost to Bear Lake County, she said. Currently, the state is assessing what steps need to be taken in order for that change to take place. As it stands, the court staff network will be cloud-based and managed centrally through Boise.

Additionally, Bishop said, the state has chosen to roll out a new jury management system. So far, this process is in the early stages and has not gone into production yet. However, early training efforts have begun.

After being approached by representatives from the Fish Haven Cemetery District, Bishop has been working with County Attorney Adam McKenzie to determine the process necessary for the cemetery district to change its boundaries with the St. Charles Cemetery District. Because the Idaho statute outlining this process was poorly constructed, Bishop and McKenzie have been working with attorneys from the state elections division to get a firm process identified and in place before this effort gets turned over to the districts for further work.

COMMITTEE ASSIGNMENTS

Commissioner Payne said he had been approached by Georgetown resident Greg Kunz, who had inquired about the possibility of placing some speed-reading radar signs in the city. Clerk Amy Bishop assured Commissioner Payne that there still was money available that the commissioners had previously allocated to the incorporated cities for that purpose.

The Bear Lake County Airport recently had ordered a tanker of fuel for delivery; however, before the tanker truck reached the property, it had rolled off the embankment and some fuel had been spilled, Commissioner Payne reported. This situation had been handled by the Bear Lake County Sheriff's Office and Bear Lake County Fire Department, and the caretakers living at the airport had been evacuated without incident. All fuel had been retrieved and had been sent back to the refinery.

Commissioner Payne said he had joined a conference call with the Idaho Department of Parks and Recreation (IDPR) on Friday, March 8, and that department had unanimously approved the purchase of land for and construction of a new addition to the Bear Lake State Park. This new access will be located between St. Charles and Fish Haven. IDPR Director Susan Buxton had attended a special meeting of the Bear Lake Board of County Commissioners – held March 5 – to provide a project update; however, Buxton wants to attend a future Board meeting to address the Board and the public about the timeline and plan for this western state park access, Commissioner Payne said.

Commissioner Wynn Olsen said the bid for the Bear Lake Senior Center's remodel project came in at \$365,000. He said he will meet with the center representatives on Tuesday, March 12, to further discuss the project.

The Bear Lake Memorial Hospital Board purchased 5.5 acres of property, located along Montpelier's 4th Street. This property will be used for the hospital's expected expansion over the next 50 years, Commissioner Olsen said. Before purchasing this property, the hospital had considered purchasing a half-acre lot on which a home stood. However, the hospital had found it could purchase the 5.5-acre piece for less and no home removal would be necessary.

The hospital saw a record business month during January. While it brought in some profit, BLMH also had experienced some severe debt. However, that is fairly typical for a hospital, he said.

The hospital's ongoing growth already has and will continue to bring some impressive services, Commissioner Olsen said, with the new addition of robotic surgery already having been utilized for several procedures. Additionally, three new doctors are planned to join the BLMH staff this summer.

Commissioner Olsen said he is scheduled to meet later this week with both the Board of the Southeast Idaho Council of Governments (SICOG) and the Four County Alliance of Southeast Idaho.

Lastly, Commissioner Olsen said he was keeping a watchful eye on the bill concerning short-term rentals (STRs) that is before the Idaho Legislature. He said it does not appear the bill in the House will get out of committee. Because the City of Montpelier also is examining STRs and potential ordinances concerning their regulation, Commissioner Olsen said he is working with that city's committee – which includes members Mayor Ted Slivinski, Councilman Quin Pope and former-Councilman Steve Allred – assigned to monitor the situation.

WAYNE DAVIDSON – BUILDING INSPECTOR REPORT

Bear Lake County Building Inspector Wayne Davidson reported there is quite a bit of construction going on in the area for building permits that had previously been issued. Although some contractors took the winter months off, many already have contacted Davidson with plans to begin work again in the near future. Still, there have not been many new permits issued or new work started yet – something that is normal for this time of year. Davidson said he has been conducting a lot of inspections for properties that already had been permitted.

In addition to his building inspection and permitting duties, Davidson works to keep addresses updated in the county's 911 dispatching system. This process started when Sheriff Brent Bunn was in office, and at that time there had been an IT computer professional to make those updates, Davidson said. In the years since, that duty passed to the Bear Lake County Assessor's Office and then to Davidson.

The Bear Lake County Sheriff's Office works with other law enforcement agencies throughout Idaho as a means to link up and share information, and this opens up new opportunities for these system updates, Davidson said. Additionally, the Assessor's Office migration to its new Esri mapping system – which will communicate and interface with the Pictometry addressing system – will make it easier to get addresses placed into the sheriff's system. Once all those systems are functional at the county, Davidson said he should be able to update the 911 map in a single action as files are added to Esri.

The county is seeing construction growth in areas and on roads that previously have not had formally established names, Davidson said. This has led to a lot of addresses being incorrectly applied to properties that do not exist on the roadways for which their addresses have been assigned. Over the years as names have been assigned to roadways, Davidson said he has attempted to correct the misapplied addresses. Once the road list is complete, this also will be added to the 911 system.

Commissioner Payne asked if the general public will have access to this mapping system. Davidson said Pictometry is and will continue to be just for county use. However, he said, Google Maps seems to update relatively quickly after new information has been added to the Pictometry system. Eventually, the public will be able to find all the roadway information through public access to Google Maps.

GENERAL BUSINESS / ACTION ITEMS

RATIFY CLAIMS

MOTION: Commissioner Olsen made a motion to ratify the claims before the Board. The motion received a second from Commissioner Payne. The motion carried.

APPROVE MINUTES

Before the Board were three sets of minutes – for the Board's regular meeting held on Monday, February 12, 2024, and for two special meetings held on Friday, February 16, 2024, and Tuesday, March 5, 2024, respectively – for approval.

MOTION: Commissioner Payne made a motion to approve the minutes for the Board's February 12, 2024, regular meeting and for the special meetings held February 16, 2024, and March 5, 2024. The motion received a second from Commissioner Olsen. The motion carried.

PREVIOUS COUNTY EMPLOYEE – IDAWY

Clerk Amy Bishop said she had been approached by a former county employee who now works for the IDAWY Solid Waste District and first changed employment when IDAWY took over waste collection and processing from the county. That individual had inquired if the Board is willing to set a policy designed to award years of service to any IDAWY employees who return to county employment, as those individuals had not chosen to change employers when the county made that initial migration.

If the Board opted to approve this policy, these employees would receive the same vacation and benefit levels they would have had under the county had IDAWY not taken over their employment, Bishop said.

County Attorney Adam McKenzie said he needed to look over the existing county employment policy, and he likely would recommend evaluating these employees on a case-by-case basis. However, he said, if the Board wants to make a general decision for all IDAWY employees who wish to migrate back to county employment, the Board could choose to amend the county policy handbook to reflect years served.

Bishop said she had looked over the policy and had found it contained nothing pertaining to IDAWY employee migration.

Commissioner Payne said he believed the rewarding of years served to those employees who first worked for the county and were then absorbed by IDAWY could be justified whereas this essentially had been forced upon them at that time.

After some internal discussion, the Board decided it would evaluate any employees who migrate from IDAWY on a case-by-case basis.

RATIFY SENIOR CENTER GRANT SUB-RECIPIENT AGREEMENT

Clerk Amy Bishop said, under direction of the Board, she had submitted the Idaho Community Development Block Grant Program Sub-Recipient Agreement for the Bear Lake Senior Center so that organization could get started on its remodel project. A motion to ratify this agreement now was needed.

MOTION: Commissioner Olsen made a motion to ratify the Idaho Community Development Block Grant Program Sub-Recipient Agreement for the Bear Lake Senior Center. The motion received a second from Commissioner Payne. The motion carried.

CERTIFICATE OF RESIDENCY 2024-2025

Clerk Amy Bishop said a single certificate of residency was before the Board for approval. The certificate of residency was for the 2024-25 academic year for the College of Southern Idaho and had been

submitted by student Evan Cottle. Bishop said the certificate and been reviewed before being presented to the Board for approval.

MOTION: Commissioner Payne made a motion to approve the 2024-2025 certificate of residency for Evan Cottle. The motion received a second from Commissioner Olsen. The motion carried.

COMMITTEE ASSIGNMENTS (CONTINUED)

Commissioner Payne asked County Attorney Adam McKenzie if he had received a copy of a map outlining the 641 square feet of the National Oregon/California Trail Center that has been proposed as storage area to be leased to the Bear Lake County Historical Society. McKenzie said he had received it and will continue working with Michelle Higley – who sits on the historical society board – to formulate a lease agreement that both parties can agree on.

Commissioner Payne reported he had received an email from Bear Lake County Coroner Chad Walker concerning some issues with the local cemeteries. Walker had said the mortuary was having some storage issues and had limited space for holding remains prior to burial. Walker reported he was concerned some cemeteries were unable to dig graves during the winter and had inquired if there was any requirement the Board of County Commissioners could put in place.

McKenzie said he was unsure the county has any authority to pass any kind of ordinance that requires cemetery districts to keep up with the digging of graves, whereas those districts are separate taxing entities.

GENERAL BUSINESS (CONTINUED)

APPOINTMENT DISTRICT #4 ANIMAL DAMAGE CONTROL BOARD

Clerk Amy Bishop said the Board had received from the Idaho Wool Growers Association a nomination for the reappointment of Dennis Hunzeker to serve as the Bear Lake County director to the District #4 Animal Damage Control Board. Hunzeker already has been serving in this capacity.

MOTION: Commissioner Payne made a motion to appoint Dennis Hunzeker to serve as director from Bear Lake County to the District #4 Animal Damage Control Board. The motion received a second from Commissioner Olsen. The motion carried.

IDAHO STATE PARKS UPDATE

Commissioner Payne said he had previously outlined the update on the planned western Bear Lake State Park, as proposed by the Idaho Department of Parks and Recreation. To review, he said, that department had unanimously approved the purchase of land between St. Charles and Fish Haven that will be used to create a new public access to the lake.

KELLER ENGINEERING QUOTE FOR BEAR LAKE WEST ROAD ISSUE

Bear Lake County Superintendent Todd Boehme said he was actively following up on the safety issues

affecting roadways located within the Bear Lake West area. Since these issues were first brought to the Board's attention at its regular December meeting, Boehme had contacted Keller Associates, Inc. – the engineering firm the county uses – in order to get an evaluation for engineering costs associated with implementation of situational fixes at the intersection of Fremont Road and Lake West Boulevard. That estimate had come in at \$18,900, but Keller Associates had included in that number engineering costs associated with the feasibility and implementation of a guardrail on North Beach Road, Boehme said.

The Board believed Boehme should break this estimate out for the individual projects. Boehme said he could go back to Keller Associates and ask them to provide individualized evaluation agreements.

Commissioner Olsen said he believes the Bear Lake West Homeowners Association should be responsible for part – if not all – of the cost of the road improvements within that area. Commissioner Jensen said that Bear Lake County has agreed to adopt and maintain roadways located within the HOA if and when they are brought up to county standards, but he was unsure if the areas impacted have reached that threshold.

County Attorney Adam McKenzie encouraged the Board to make any motions related to this issue contingent upon his review. If the commissioners do not believe the county should be responsible to pay the costs associated with this project, they should not approve and sign the agreement with Keller Associates. If a contribution needs to be made by the HOA, he said, that has to be worked out and factored into the Keller agreement before it is signed.

MOTION: Commissioner Olsen made a motion to have the Keller Associates, Inc. evaluation agreement separated for Bear Lake County projects and Bear Lake West projects. He also motioned to table further discussion contingent on review by the county attorney. The motion received a second from Commissioner Payne. The motion carried.

SNOWPLOWING POLICY REVIEW

Bear Lake County Superintendent Todd Boehme said he has received several complaints regarding people plowing snow across county roadways and depositing it within the county right-of-way. This is going to require him to examine the contents of the county's relevant ordinance, and the Board will need to revisit that precedent. Boehme said he was not quite ready to present to the Board, but it is likely the existing ordinance will need to be amended or a new ordinance may need to be written.

TODD BOEHME – COUNTY SUPERINTENDENT

County Superintendent Todd Boehme reported he was working with Keller Associates, Inc. to update the county transportation plan, adding that he is hoping to get everything in place so in the fall he can apply for a Local Highway Technical Assistance Council (LHTAC) grant to help offset the costs of the update.

Boehme said he had once again received thanks from the hill climb committee that has put on recent local events. The group had been grateful for Bear Lake County's willingness to assist with winter road and parking lot maintenance.

Boehme said he hopes to get all design preparation done so he can bring to the Board in April some cost

estimates for the Paris Park Bridge project. He hopes to meet this timeline so the Board can begin the bidding process for the project facets.

After reviewing some bids received for chip sealing oil projects slated for summer 2024, Boehme said the price has increased from past years. However, he said he hopes to be able to secure a supply that will allow the Bear Lake County Road and Bridge Department to conduct the work it needs to complete.

TODD BOEHME – EMERGENCY SERVICES COORDINATOR

Bear Lake County Emergency Services Coordinator Todd Boehme reported he will attend an emergency services meeting in Pocatello on Tuesday, March 12. The meeting will focus on winter weather and the resulting conditions that will follow. Boehme said he hopes to get an idea of how much runoff the county can expect this spring in order to determine what type of flooding issues may result.

The local Bear Lake Emergency Amateur Radio Service (BEARS) organization will use the county's emergency operations center (EOC) on March 16 in its effort to educate the public and get interested locals licensed. The event will be held that day from 8:00 a.m. to 5 p.m.

Commissioner Payne said he and Boehme will attend a local meeting with the Idaho Transportation Department, to be held at 10 a.m. on Thursday, April 11.

WYATT ATHAY – DISCUSS TAX PAYMENT PLAN

Bear Lake County Treasurer Tricia Poulsen told the Board that Wyatt Athay, who had taken ownership of his father's property last year, had been working to get current with his father's unpaid property taxes. Wyatt Athay's father, Kyle Athay, had been delinquent for property tax years 2019, 2020, 2021 and 2022. Since taking ownership, Wyatt Athay had paid the amount owed for 2019 and now hoped to set up a payment plan with the Board for the 2020 taxes, Poulsen said.

Following the conclusion of his time before the Board, Athay was set to apply for a homeowner's exemption that will take affect going forward, beginning with tax year 2024, Poulsen said. The Board had granted Athay a payment plan for the 2019 taxes, and he now asked the Board to follow suit for the 2020 taxes on the property – designated as Bear Lake County Parcel No. 03081.01.

Because Athay had followed the payment plan the Board had put in place for the 2019 back taxes and had not been late with any of his installments, Commissioner Olsen said he was in favor of continuing this system for the 2020 back taxes as well.

Poulsen reminded the Board it had waived the penalty and interest that had been applied for 2019. She asked if the Board wanted to follow that precedent for the 2020 taxes. If the commissioners chose to do this, a total of \$715.07 in penalty and interest fees would be waived.

Commissioner Payne commended Athay for his good-faith effort to get caught up and his dedication to the payment schedule. While the Board wants to work with Athay in order to resolve this issue for both parties, Commissioner Payne believed the Board should make it known that if Athay fell behind on his payments or stopped paying altogether, the penalty and interest fees will be reapplied to the total

owed.

Athay agreed to that stipulation and said he can make a minimum monthly payment of \$300.

MOTION: Commissioner Olsen made a motion to establish the 2020 back tax payment plan for Bear Lake County Parcel No. 03081.01, with Wyatt Athay agreeing to pay \$300 each month. The motion received a second from Commissioner Payne. The motion carried.

MAGGIE MANN – SOUTHEAST IDAHO PUBLIC HEALTH UPDATES

Southeastern Idaho Public Health District Director Maggie Mann came before the Board to provide health data updates. Part of her responsibility, she said, is to examine this data; look at how it changes over time; and see how the data gathered from southeast Idaho compares to that gleaned from the rest of the state.

One area she has focused on is maternal and infant mortality rates, she said. For the purposes of public health, the term “pregnancy-related mortality” refers to any time during pregnancy or during the 365 days following delivery. “Infant mortality” occurs within the first 12 months of life after birth, she said. Mann said the data she had examined had been concerning in this modern era, as both these mortality rates had increased sharply in Idaho between 2019 and 2021. During that time, the maternal mortality rate had increased by 121.5 percent, while the infant mortality rate had increased by 18 percent.

Nearly 100 percent of the factored maternal deaths had been preventable, Mann said. Data shows that in 2022, one in every five Idaho mothers did not receive any prenatal care during their first trimester of pregnancy. In 2021, three out of every 10 mothers lacked health insurance prior to their pregnancy, she said.

The Idaho Kids Covered organization has policy recommendations aimed to help reduce these mortality rates. Additionally, the expansion of Medicare would offer health care coverage to more Idahoans in need, Mann said. Although Southeastern Idaho Public Health (SIPH) does not have a say in that, she said the Idaho legislature seems to be set to pass a bill adopting that expansion during the current legislative session.

Mann said she and the other administrators and employees at SIPH have examined what they can do to help strengthen and actively promote existing programs that already have a positive impact on the health of women and children.

The Special Supplemental Nutrition Program for Women, Infants and Children (WIC) has a mission to assure healthy pregnancies, birth outcomes, growth and development for mothers, babies and young children up to age 5 who are at nutritional risk. The program provides nutritious supplemental foods, breastfeeding promotion and support, education on health eating and referrals to health care and critical social services.

SIPH serves about 4,600 women and families through the WIC program, and there was even a positive result stemming from the COVID-19 pandemic. While the prior fresh fruit and vegetables WIC benefit had only provided \$9 a month to each program enrollee, that benefit increased during the pandemic

and has remained at the higher rate since, Mann said.

The WIC program also has supported the Idaho economy, Mann said. In Fiscal Year 2023, A total of \$17.4 million was spent at Idaho food retailers through the WIC program – with the bulk of that money returning to local communities. Additionally, \$6 million was received through formula rebates and \$8.8 million was paid to nutrition, breastfeeding services and administration costs.

SIPH has begun working with health care providers to offer training and regular patient screening to help identify women who are experiencing postpartum depression, Mann said. This condition is very common, but if it can be identified then SIPH and health care providers can help those women manage it.

With the population growth and expansion in Bear Lake County, SIPH wants to have a presence at future Bear Lake County Planning & Zoning meetings, Mann said. By being present at future P&Z meetings, SIPH can answer questions about the health impacts of septic and sewer systems.

Former-Commissioner Vaughn Rasmussen, who sits on the Southeastern Idaho Public Health District Board, had accompanied Mann for her presentation and now reported the health district board recently had been meeting weekly with local representatives and senators to discuss public health needs. The Board also has recommended that Mann and SIPH attend meetings of the Bear Lake Board of County Commissioners once each quarter in order to provide the commissioners with updates, he said.

JEFF FREDERICK – BEAR LAKE WEST HOA – ROAD ISSUE AND HELICOPTER LANDING SITES

Bear Lake West Homeowners Association Board President Richard Barako came before the Bear Lake County commissioners to thank Bear Lake County Superintendent Todd Boehme and the Road and Bridge Department for the effort put in to winter maintenance efforts on the county roads found within the HOA boundaries. However, he said, there is an issue with runoff water that flows into ditches and then gathers in the roadway. At night, when temperatures fall below freezing, ice forms and causes slick areas. Barako suggested the Road and Bridge Department address the issue with the county snowblower machine.

Boehme said the use of the county snowblower is not feasible because there are too many houses in that area. This high concentration of homes makes directional blowing and control very difficult. However, Boehme said he will get a road crew to patrol the area and determine what the county can do to help.

Barako expressed the need for additional stop signs at intersections found on Lakeside Drive. The increase in permanent residents – which contributes to increased traffic concentration in that area – causes possible danger during times when snow builds up and limits visibility on the sides of the intersections, he said.

Jeff Frederick, vice president of and compliance officer with the Bear Lake West Homeowners Association, was scheduled to address the Board. He had been delayed by another obligation but was en route to the meeting, Barako said.

The Board took a short recess at 10:40 a.m.

The Board returned to its regular meeting at 10:52 a.m.

Frederick said that he had visited with Boehme during the Board's recess and had found the superintendent could provide him with information about the pricing and requirements associated with the implementation of a guardrail on Fremont Road. Frederick said he will continue communicating with Boehme.

Frederick reconveyed Barako's request for additional stop signs, adding that at least one of the necessary placement points is at the bottom of a downhill slope. Commissioner Jensen encouraged Frederick to work with Boehme to determine where these affected areas are and where stop signs need to be placed.

The Bear Lake West Property Owners Association recently has considered placing a gated barrier to its dumpster access lot, he said, but the group was unsure if it could take this action as there is a school bus turnaround at that location. Additionally, the POA has considered moving the dumpsters to an entirely different lot location – a process that will require some additional work to properly secure.

Commissioner Jensen said the school bus turnaround lot cannot be gated and has to remain open. In fact, he said, the county helped to create the dumpster lot because it would also serve as a turnaround.

Bear Lake West POA Director Michelle Fillion said her organization had worked with Buchanan Access Systems to place gated beach accesses that can only be entered through the use of a phone application. Those gates automatically open when an app user is detected, she said. This may be a solution that could allow the POA to place a gate to the dumpster lot while still allowing school bus turnaround access.

Commissioner Jensen said that will not suffice the county's need, as that area serves not only as a turnaround but also as a pickup point at which parents and guardians can retrieve their children.

Bear Lake County Fire Chief Mark Parker said, as a fire responder, his access is vital. Dumpster fires are very common during the summer, and if the fire department cannot access those areas to extinguish the flames, those situations may require forced removal of the gate altogether.

Frederick's last concern he wished to discuss with the Board related to the potential for helipad construction within the Bear Lake West area. One homeowner had submitted an application requesting to build a helipad on their personal property; however, Frederick said, the BLW HOA Board had no provisions regarding landing areas within its covenants, conditions and restrictions but had denied approval based on very vague federal guidelines. Frederick encouraged the Board to consider include some sort of helipad parameters in its own future regulations.

Commissioner Olsen said he believed any rules placed on helicopters or the associated landing zones likely fall under the Federal Aviation Administration. Commissioner Payne advised he had spoken to the Bear Lake County Airport Board and that body did not feel it had any say in the matter.

County Attorney Adam McKenzie said the HOA has the ability to enact its own regulations for where private aircraft can and cannot land within its borders. Additionally, there certainly must be FAA regulations that apply to this situation, but it is possible the county can amend its existing subdivision ordinance to designate permissible areas.

In the event the county began amending its ordinances as they pertain to aircraft landing zones, it is important to remember the hospital and some other emergency situations be taken into consideration as necessary services, Commissioner Payne said.

ASHLEY KRATZBERG – DISCUSS TAX PAYMENT PLAN

Bear Lake County Treasurer Tricia Poulsen said she and County Attorney Adam McKenzie had been working with Ashley Kratzberg on the back taxes she had inherited at the time of her mother's passing. At the Board's regular December 11 meeting, Kratzberg had asked the Board to consider her request for a hardship exemption for the back taxes owed on Bear Lake County Parcel No. 00335.00.

Kratzberg's mother, Theresa Hayes, had recently passed away and since that time Kratzberg has been trying to settle her affairs. At the time of her death, Hayes was in a delinquent tax status with the county and owed a significant amount in back taxes, Poulsen said.

In December, the Board had opted to table any action on the request until Kratzberg had gone through the probate process and the property had successfully been placed into her name. McKenzie had rushed this issue through the probate proceedings and the home now is in Kratzberg's name, said Poulsen, adding Kratzberg still needed to sign up for the homeowner's exemption benefit.

Prior to going through probate, Kratzberg had made a \$500 payment on the delinquent amount, but there still is a balance on the taxes owed for 2020, Poulsen said. Kratzberg hoped to get set up on a monthly payment plan and, because she is disabled, she may qualify for the circuit breaker exemption on future years' taxes.

Commissioner Payne encouraged Poulsen to draw up a contract and schedule for Kratzberg's monthly payment plan, and the Board could help by waiving the penalty and interest that has accrued on the back taxes. However, he said, it is important that Kratzberg realize that if payments are missed, the penalty and interest will be added back to the delinquent amount Kratzberg owes.

Kratzberg said she can pay a minimum of \$50 each month.

MOTION: Commissioner Payne made a motion to establish the 2020 back tax payment plan for Bear Lake County Parcel No. 00335.00 and waive the penalty and interest contingent on regular payment being made on a monthly schedule. Ashley Kratzberg will be required to pay \$50 each month. The motion received a second from Commissioner Olsen. The motion carried.

PROPERTY TAX EXEMPTION APPLICATIONS

Two property tax exemption applications had been submitted to the county and now were before the Board, Clerk Amy Bishop said. Both properties have been tax exempt in the past but now have fallen

under new ownership.

THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS MONTPELIER TEMPLE

MOTION: Commissioner Payne made a motion to approve the tax exemption application for the Church of Jesus Christ of Latter-Day Saints. The motion received a second from Commissioner Olsen. The motion carried.

HEALTH WEST, INC.

Citizen Michelle Fillion inquired why Health West, Inc. receives tax-exempt status, as the business charges insurance companies and patients for care. Commissioner Payne said Health West is a not-for-profit organization, rather than a non-profit.

MOTION; Commissioner Olsen made a motion to approve the tax exemption application for Health West, Inc. contingent on the organization providing the necessary documentation that confirms its tax-exempt eligibility. The motion received a second from Commissioner Payne. The motion carried.

PUBLIC COMMENT

Kathi Izatt, a citizen of Fish Haven and a reporter for the local News-Examiner newspaper, told the board she had recently examined the county land use ordinance and had found it contains a matrix that shows airports or heliports – either private or public – are conditional uses only permitted within commercial or industrial zones. Under that ordinance, Izatt said she believed a helipad would not be allowed within the Bear Lake West area.

EXECUTIVE SESSION – IDAHO CODE 74-206(1)

MOTION: Commissioner Payne made a motion to go into executive session according to IDAHO CODE 74-601(1) (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; (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 motion was seconded by Commissioner Olsen.

Roll Call Vote. Commissioner Olsen, Aye. Commissioner Jensen, Aye. Commissioner Payne, Aye.

The Board entered its executive session at 11:38 a.m. From 11:45 a.m. to 11:51 a.m., the Board discussed records exempt from disclosure. From 11:52 a.m. to 12:03 p.m., the Board conferred with legal counsel. From 12:03 p.m. to 12:22 p.m., the Board discussed employee issues. From 12:22 p.m. to 12:30 p.m., the Board again discussed records exempt from public disclosure.

MOTION: Commissioner Olsen made a motion to exit executive session. The motion received a second

from Commissioner Payne. The motion carried.

The Board left executive session at 12:30 p.m.

LUNCH

From 12:31 p.m. to 12:55 p.m., the Board held a short lunch period. It reconvened its regular meeting at 12:56 p.m.

DAVID SCHREIBER – DISCUSS TAX PAYMENT PLAN

David Schreiber, owner of Bear Lake County Parcel No. 00152.00, could not be present. Bobbie Moore, Schreiber's longtime girlfriend, appeared on his behalf. She said Schreiber is trying to sell the property and also is trying to get a loan in order to pay his owed back taxes.

County Treasurer Tricia Poulsen said Schreiber owes the county \$1,164.88 for unpaid 2020 property taxes. Moore said a monthly payment of at least \$100 could be made if the Board agreed to waive the penalty and interest fees – a total of \$368.46 – for that tax year. Moore said she understood that all penalty and interest fees would be reapplied should the payment schedule not be followed.

MOTION: Commissioner Olsen made a motion to waive the 2020 penalty and interest total of \$368.46 for Bear Lake County Parcel No. 00152.00 contingent on David Schreiber paying a minimum of \$100 each month in order to pay delinquent 2020 back taxes. The motion received a second from Commissioner Payne. The motion carried.

KARI URE – EXTENSION OFFICE UPDATES AND INTERN

Kari Ure, who serves as the University of Idaho extension educator for Bear Lake County, said she had looked at the possibility of using some of her office's salary budget for a new hire. Because of shifting personnel, the budget has changed slightly and the extension now has an overage in its salary coffer. Ure said she wants to hire an intern to assist with her office's work needs, and that employee could even split their time with the open Bear Lake County Fair Board secretary position.

If the Board approves the hiring of this employee, the intern will work 11.5-hour weeks for 14 weeks – a total of 161 hours – through July 16 for the extension, Ure said. This individual's time with the extension would conclude before August, thus freeing up the employee to dedicate themselves to the demands that come with the Bear Lake County Fair.

MOTION: Commissioner Payne made a motion to approve the hiring of the Bear Lake County Extension Office intern, who will split their time with the Bear Lake County Fair Board secretary position, contingent on approval by the fair board. The motion received a second from Commissioner Olsen. The motion carried.

Ure said an advisory meeting will be held on March 22, with guests including community mental health practitioners, educators, representatives from the Southeast Idaho Council of Governments and the Idaho Department of Labor and parents of 4-H participants.

TYSON BOEHME – MAHOGANY RIDGE DISCUSS TAX PAYMENT PLAN

Tyson Boehme told the Board he is working to get delinquent 2020 property taxes paid to the county by the Mahogany Ridge Dairy Farms LLC, of which he is one of four owners. He requested the Board waive the accrued 2020 penalties and fees associated with the three Mahogany Ridge properties – Bear Lake County Parcel Nos. 03381.01, 03394.01 and 03434.01 – and allow him to begin a payment plan requiring a minimum \$350 monthly payment.

Within the previous 30 days, Boehme had paid \$2,000 toward the back tax bill, Bear Lake County Treasurer Tricia Poulsen said. At that time, Mahogany Ridge had 13 delinquent parcels, but taxes for 10 of those parcels had been paid. Additionally, Boehme did not have the homeowner's exemption prior to 2021, so he had been unable to take advantage of that benefit for the 2020 tax year.

MOTION: Commissioner Olsen made a motion to waive the 2020 interest and penalties for Bear Lake County Parcel Nos. 03381.01, 03394.01 and 03434.01, contingent on Mahogany Ridge Dairy Farms LLC paying \$350 monthly. The motion received a second from Commissioner Payne. The motion carried.

JUVENILE CORRECTIONS DISTRICT 6 JUVENILE JUSTICE REPORT – STACE GEARHART

Stace Gearhart, who serves as the District 6 liaison for the Idaho Department of Juvenile Corrections, presented to the Board his annual report on youth probation, arrests and detention commitments for Bear Lake County.

Youth arrest numbers saw an increase in 2023, up to 12 from seven in 2022. However, there had been 14 youth arrests in 2021. Detention admissions in 2021 totaled 11, with five admissions taken in 2022. In 2023, that figure had risen slightly to seven admissions, Gearhart said. The number of youth petitions filed had seen a steady decrease in the past three years, with seven petitions filed in 2023. The number of youth petitions that had been filed had stood at 29 and 10 in 2021 and 2022, respectively.

A total of eight charges – five felonies, three misdemeanors and no status offenses – were filed against youth criminal offenders in 2023. The number of felony charges had dropped in the past three years, as 15 had been filed in 2021 and 7 were filed in 2022. Likewise, misdemeanor charges had decreased steadily in that time. In 2021, 33 misdemeanors had been filed; in 2022, just nine had been filed. No status offenses – resulting from actions such as the breaking of curfew, trancies and similar violations – were charged in either 2023 or 2022, while five status offenses had been filed in 2021, he said.

Bear Lake County does not have an active diversion program, so Gearhart said he had no data to provide concerning that. However, He was able to provide information regarding probation intakes and releases.

In 2023, Bear Lake County had 15 intakes to and 21 releases from its youth probation program. Those numbers are fairly consistent from previous years, Gearhart said. The program had a success rate of 93 percent in 2023, down from the 100 percent success rate it had in 2022.

Gearhart next provided a general overview of the area's average youth offender. In 2023, the average youth offender in Bear Lake County was a 14- to 16-year-old white male. Eighty-seven percent of youth

offenders were white, with the remaining 13 percent consisting of Hispanic individuals. Concerning the genders of intakes, 65 percent were male and 35 percent were female, Gearhart said.

Gearhart provided a snapshot of youth on probation or in IDJC custody as monitored for September 30 of the past three years. In 2023, Bear Lake County had eight youth probationers – down from 17 in 2021 and 15 in 2022. At that time, only one juvenile offender was in IDJC custody at the St. Anthony Juvenile Detention Center, he said.

Gearhart's breakdown of youth work through restorative practices to address harm they had caused through their actions showed that 260 community service hours had been completed in 2023, while \$3,097 had been paid in restitution.

Regarding overall recidivism rates, data shows that 9 percent of youth returned to their past criminal actions within 6 months following release. By the 12-month mark, that number had risen to 13 percent recidivism. At the 24-month mark, 17 percent of youth had returned to criminal activity.

In 2023, legislative pass-through funds had led to \$20,112 taken in through the Idaho Juvenile Corrections Act. Tobacco and cigarette taxes had led to \$13,808 being taken in. The Idaho lottery garnered \$2,114 for juvenile justice, Gearhart said.

The Community Based Alternative Services (CBAS) Program provided \$885 to juvenile treatment within Bear Lake County in 2023. Gearhart also provided a breakdown of Bear Lake County Probation Officer Ron Harper's 2023 budget, with 50 percent of that budget having been paid by the State of Idaho.

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

The meeting adjourned at 1:18 p.m.



Bradley D. Jensen, Chairman

4-8-2024

Date Approved

ATTEST:


Amy Bishop, Clerk

