

BEAR LAKE COUNTY COMMISSIONERS' MEETING

October 15, 2019

School District #33 Board Room

The Board of Bear Lake County Commissioners met in their regular meeting on Tuesday, October 15, 2019, at 9:00 a.m. in School District #33 Board Room in Paris, Idaho. Members present were Commissioners' Vaughn N. Rasmussen, Bradley D. Jensen, Rex L. Payne and Clerk of the Board, Cindy Garner.

Others attending were Treasurer Trisha Poulsen, Sheriff Bart Heslington, Assessor Heber Dunford, Superintendent Scott Esquibel, and The News-Examiner Reporter, Valerie Hayes.

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

Sheriff Heslington presented his monthly report and stated they had been busy with court cases and are working on setting up a communication committee to have radio communication be more user friendly and efficient. They are ready to sign the Cooperative Law Enforcement Agreement and appreciate the working relationship with the Forest Service and his department to cover enforcement in the campgrounds and canyon roads. It also covers the winter snow machine patrols and searches. Appreciate the Search and Rescue team and their efforts to help with this service. With some clerical error previously, it was late getting approved, so it shows \$10,000. It is typically \$5,000 each year, but it can be rolled over.

COOPERATIVE LAW ENFORCEMENT AGREEMENT

MOTION: Commissioner Jensen made a motion to authorize Commissioner Rasmussen to sign the Cooperative Law Enforcement Agreement between the Forest Service and the County, seconded by Commissioner Payne, motion carried.

Commissioner Payne stated they were working on the specs for the security cameras for the new courthouse.

Assessor Heber Dunford brought in an older recorded map they have been giving out to the public, however, the official signed map is as of 2015, not recorded, which ITD stated it wasn't necessary, but the clerk will get it recorded, per the commission's request. Dunford stated they were working on the occupancy roll and he brought a draft of a part time job opening, but the Commissioners needed a more defined job description before accepting the position being requested.

Treasurer Poulsen stated she is waiting for the state to approve the levies and will be sending out the tax notices. Poulsen will be sending out information for electronic billing in the tax notices for those who would like to pay that way and it will save the county money. A hard copy can be printed out if desired.

WAYNE DAVIDSON – BUILDING INSPECTOR REPORT

Building Inspector Wayne Davidson presented his monthly report stating building had slowed some, but there are 38 new residences so far this year. The new courthouse is coming along good, they are working on plumbing, HVAC, skylights and the ballistic windows should be here shortly. They should start shingling soon. Davidson will be meeting today with Chuck Swanson, the Sheriff and I.T. working on phone system, battery system for the cameras and positioning of the cameras. The Supreme Court has their I.T. that will come and pull the wires. Sheriff Heslington stated that Western States is putting together a bid for the pad for the generator. Commissioner Payne stated Big D has been a big help in keeping up with the subcontractors and watching out for the County to help keep costs down. Commissioners also expressed their appreciation to Big D for sponsoring the dinner for the county employee party.

DOUG THOMPSON – CITY OF GEORGETOWN – ROAD MAINTENANCE COUNTY SERVICE

Doug Thompson, Councilman, along with Mayor Steve Waechtler and Councilman Matt Raczak from the City of Georgetown, came to ask about an invoice they had received from the county on the chip sealing work that had been done previously. The Commissioners will take it under advisement and get back with them soon.

LES NUNN – COOPERATIVE AGREEMENT & EXTENSION UPDATES

Les Nunn, County Extension Agent, met with the Commission to discuss and present the new cooperative agreement with the University of Idaho Extension Agency. Commissioners felt they have always had a good relationship and had reviewed the agreement, it may need some clarification, but would like Prosecutor McKenzie to review prior to signing.

MOTION: Commissioner Payne made a motion to approve and sign the University of Idaho Extension Cooperative Agreement, based upon review of Prosecutor McKenzie, seconded by Commissioner Jensen, motion carried.

Commissioner Jensen stated he had been to a SICO meeting. Commissioner Jensen and Commissioner Payne had been getting calls regarding signs in the County right of way up Paris Canyon and on the Lanark Cemetery Road on the way to Little Valley Reservoir.

Commissioner Payne stated they had received an email and he and Weed Supervisor, Todd Transtrum, along with Idaho Department of Ag had discovered Bear Lake County has Eurasian Watermilfoil, a very aggressive noxious weed that cross pollinates with Northern Watermilfoil. The roots can go down as deep as 40 feet, as it's too late this year, they are vacuuming it up at this time, but will spray next year. It is a fern like leaf, flatter on the top. Commissioner Payne stated he had attended the Fire meeting earlier that Fire Chief, Mark Parker, had encouraged someone to attend.

Commissioner Rasmussen went with Emergency Manager, Alan Eborn, to the LEPC (Local Emergency Planning Committee) meeting from the state about earthquake preparedness if a big quake occurs. Commissioner Rasmussen stated the new Shooting Club will have a cleanup and the Rim Fire Challenge on October 22nd and a Halloween Shoot on October 23rd, for those interested. He gave an update on the Gem Plan and their board, which he sits on, they will be reviewing in January all the rates for every county and being consistent. Commissioner Rasmussen mentioned an email from a Caribou County Commissioner regarding the Farm Bureau opposing the National Heritage Area and had some questions and mentioned the next (4) Four-County Meeting coming up on November 13, 2019 at 10:00 a.m. at the

Oregon Trail Center. Commissioner Rasmussen asked for the 2015 Official County Road Map to be recorded and it is the map that should be handed out to the public when it is requested.

GEM PLAN JOINT AGREEMENT

MOTION: Commissioner Payne made a motion to authorize Commissioner Jensen to sign the Gem Plan Joint Agreement and Trust Agreement, seconded by Commissioner Jensen, motion carried.

RESOLUTION 2019-11 – FY2019-2020 BUDGET

MOTION: Commissioner Jensen made a motion to ratify the action taken on September 9, 2019, to sign Resolution #2019-11, the FY2019-20 budget of \$12,777,203, seconded by Commissioner Payne, motion carried.

APPOINT FISH HAVEN MOSQUITO ABATEMENT BOARD MEMBERS

Commissioner Jensen stated that Jan Kearl and Larry Loveland were stepping down as members of the Fish Haven Mosquito Abatement Board, therefore the need to have new members and others reappointed.

MOTION: Commissioner Payne made a motion to appoint the following new members to the Fish Haven Mosquito Abatement Board, Edie Perkins for a two (2) year term, Jeff Jensen for a three (3) year term and Tavis Buys for a four (4) year term, seconded by Commissioner Jensen, motion carried.

MOTION: Commissioner Payne made a motion to re-appoint the following members to the Fish Haven Mosquito Abatement Board, Cindy Erickson, Jim Felt and Thad Hale, each for four (4) year terms, seconded by Commissioner Jensen, motion carried.

RATIFY CLAIMS

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

APPROVE MINUTES

MOTION: Commissioner Jensen made a motion to approve the minutes from 6-24, 7-1, 7-26, 9-9 and 9-30-2019, seconded by Commissioner Payne, motion carried.

Clerk Cindy Garner had some housekeeping items, which included signature on the awarded Indigent Public Defender Contract, review a copy of the Certificate of Insurance for the county, a hardship application, further clarification of an old townsite plat road, which has never existed and a memo to employees regarding reimbursement for mileage and meals when attending meetings. There was also an invoice to review from the golf course for the pump and the extra expense as they found the casing had all rusted out.

SCOTT ESQUIBEL – COUNTY SUPERINTENDENT

County Superintendent Scott Esquibel presented his monthly reports and stated they had been focusing on getting their comp time down. Esquibel stated DEQ (Department of Environmental Quality) will be coming for an inspection, the tonnage should be good for this year. Esquibel stated he would be

attending the Regional District Landfill meeting on October 30, 2019, at 9:00 a.m. at the Oregon Trail Center.

PUBLIC COMMENTS

There were no public comments.

EXECUTIVE SESSION – 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’, (1) (d) ‘To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code’, (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’.

MOTION: Commissioner Payne made a motion to leave the regular meeting and go into an executive session 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’, (1) (d) ‘To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code’, (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, motion carried.

Roll call vote was taken: Commissioner Jensen – Yes, Commissioner Payne – Yes, Commissioner Rasmussen – Yes, all voted unanimously in the affirmative. Let the minutes show that Superintendent Esquibel, Deputy Clerk Jamie Humpherys, Prosecutor McKenzie and Clerk Garner would be attending.

Board out of executive.

Chief Deputy Clerk, Amy Bishop, brought a quarterly report as requested by Commissioner Payne for figures on the courthouse construction. Commissioner Rasmussen stated that the old courthouse was not on the agenda, however if the public has some interest in the building becoming a private business, there would not only be liability, but there would not be any parking.

EXECUTIVE SESSION – CONTINUED

MOTION: Commissioner Jensen made a motion to leave the regular meeting and go back to an executive session 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’, (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', to go back to these unfinished items, seconded by Commissioner Payne, motion carried.

Roll call vote was taken: Commissioner Jensen – Yes, Commissioner Payne – Yes, Commissioner Rasmussen – Yes, all voted unanimously in the affirmative. Let the minutes show that Prosecutor McKenzie and Clerk Garner were invited to attend.

Board out of Executive.

NEW POSITION – ASSESSOR

Assessor Heber Dunford brought a revised part-time job opening notice which emphasizes needing a mapper and help with the DMV. The Commissioners will get back with Dunford soon.

ASSIGNMENT SHEETS FOR INDIGENT CASES TO BE APPROVED.

There were five (5) medical indigent claims that are assignments that need to be signed in order for the County to get reimbursement from the State CAT Board if they get paid.

MOTION: Commissioner Jensen made a motion to sign five (5) Medical Indigent Assignments, in order to get a percentage of reimbursement from the State CAT Board if they get payment, seconded by Commissioner Payne, motion carried.

Deputy Clerk Jamie Humpherys had been approached by a third party wishing to acquire a property, but having an indigent medical lien attached, they proposed offering an amount of \$3,000. The original lien amount was \$7,465.18, to which nothing has been paid towards it since filed in 2008, the Commissioners discussed \$4,500 as an amount they would accept.

MOTION: Commissioner Payne made a motion to offer \$4,500 as a payoff amount for the indigent lien, seconded by Commissioner Jensen, motion carried.

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

Meeting adjourned at 1:45 p.m.