

Bear Lake County Commissioners' Meeting

June 13, 2022

Commissioners' Chambers – Paris, Idaho

The Board of Bear Lake County Commissioners met in their regular meeting on Monday, June 13, 2022 at 9:00 a.m., in the Commissioners' Chambers in Paris, Idaho. The meeting was also able to be accessed by Zoom. Members present were Commissioners Vaughn N. Rasmussen, Chairman, Commissioner Bradley D. Jensen, Commissioner Payne L. Payne and Clerk of the Board, Amy Bishop. Also in attendance were Adam McKenzie, Assessor Heber Dunford, Treasurer Tricia Poulsen, Sheriff Bart Heslington, Superintendent Scott Esquibel, Todd Boehme, and several members of the public.

APPROVE AGENDA – ACTION ITEM

MOTION: Commissioner Jensen made a motion to approve the agenda with the clarification that the planning and zoning items listed are all action items. The motion was seconded by Commissioner Payne. The motion carried.

ELECTED OFFICIALS UPDATES

Tricia Poulsen presented two tax cancellations. One for Stevi Carlton on parcel 60005.00, the home burnt down, so the cancellation will remove the TV and Garbage charges. The other is for Bryce Boehme parcel 00117.00, he was being charge garbage fees for both neighboring parcels, where there was only one residence.

MOTION: Commissioner Payne made a motion to cancel taxes as presented. The motion was seconded by Commissioner Jensen. The motion carried.

Heber Dunford presented his monthly report. Titles and registrations income was \$138,455.99; EMS was \$146.50, Parks and Rec was \$519.00. They processed 142 mail-in registrations. Assessment notices have been mailed, and values are up over last year. There are some changes needed to the 5 year plan, the consulting appraiser will be here later to review with Heber. Deed processing and mapping is near to caught up. He has received compliments on our deed processing and mapping program from the state.

Sheriff Bart Heslington presented his monthly report. They are starting to see and uptick in activity. Volume of traffic on some roads is quite high. For example, Saturday there were 800 vehicles on Dingle Road. This results in an increase in officer contacts for traffic violations, accidents, etc. The Dive team acquired a trailer to facilitate faster response. The team was called to assist a neighboring county recently. The jail billing for this quarter has not been received yet, but the jail has been full. They have been doing a lot of training, the post regional coordinator was here and got another instructor certified. The sheriff ordered replacement vehicles on the lease rotation program over a year ago and he is still waiting due to supply chain problems being experienced widely. He has received two vehicles which will be used in Marine Program. He is seeing an uptick in calls on property lines and other similar disputes. They are still working at the communications project and are waiting for some proposals from vendors.

GENERAL BUSINESS/ACTION ITEMS

RATIFY CLAIMS

MOTION: Commissioner Jensen made a motion to ratify the claims. Seconded by Commissioner Payne. The motion carries.

APPROVE MINUTES

MOTION: Commissioner Payne made a motion to approve the minutes for May 9th. Seconded by Commissioner Jensen. Motion Carries.

SHORT TERM RENTALS

The commissioners will table short term rentals until July. Commissioner Rasmussen is working on an ordinance. He wants to review Montpelier's ordinance and to meet with the Fire Chief on fire information also.

COUNTY ATTORNEY

The county attorney job is posted on the Idaho bar website and the Idaho Prosecuting attorney page. An updated job description will be sent to the Clerk.

COURTHOUSE SECURITY

Bart has talked with IT specialists, TJ Burbank on the other systems he has used. The other option is a program that we had tried with the schools and it did not work well. The commissioners will work on finalizing the contract at the June 28th Meeting.

STATE LANDS BELOW HIGH WATER MARK

Commissioner Rasmussen gave an update. We need a formal agreement with State Lands that we will work together on management of the Lakebed area. A MOU and Committee need to be put in place. A draft MOU should be ready soon.

AIRPORT- GRANT APPROVAL

The county received the notice of award for the snow removal equipment building. The grant offer will be sent electronically.

MOTION: Commissioner Payne made a motion to approve the airport grant offer pending legal review. Seconded by Commissioner Jensen. Motion Carries.

ECONOMIC DEVELOPMENT PROFESSIONAL LETTER OF SUPPORT

4-CASI requesting is \$6,000 for the coming year.

MOTION: Commissioner Jensen made a motion to sign the letter of support. Seconded by Commissioner Payne. Motion Carries.

COMMITTEE ASSIGNMENTS

COMMISSIONER PAYNE reported that PacifiCorp is going to the power plant up Paris Canyon. That eliminates the water source for the cattle up Bloomington Canyon coming down off Telegraph Hollow. Will use a grant to drill a well and pump water up on the flat, so the cattle will range further toward private land. Forest service wants to fence from the county road to neighboring property. The county

would to move our cattle guard further down. Commissioner Payne went with Mike Duncan and Kevin Parker from the Forest Service and found a possible location for the cattle guard. Will probably take place in fall because they are waiting on a well driller. If fences are moved, need to be moved to the 60 foot right of way. Commissioner Payne attended a portion of the TV Translator district meeting, which is a separate taxing district, so that he could be aware of some antenna location and road access issues they are facing.

Commissioner Jensen reported that a Road and Bridge truck that was ordered two years ago will be done in July. The IDAWY District landfill is trying to get a transfer station built but is facing some difficulty with getting contractors. Sheriff working hard on communications issues.

Clerk Amy Bishop reported that their office had received a request for an indigent burial. She continues to work on budgets and will meet with the commissioners June 27th 9:00 am for a budget workshop. She also attended the IAC Commissioners and Clerks Conference and was able to work with some of the other clerks on finding resources for training and other needs in the clerks office.

Commissioner Rasmussen reported that the Historical Society would like to put together a sub-committee to go through items in basement of the museum. He also reported that Mike Blauer, hospital administrator, will be moving on to a new position. The Board of Health approved their annual budget and has proposals on behavioral health, vaping, etc. Gem Plan approved a rate increase proposal and ICRMP has special meeting tomorrow. The College of Northern Idaho is appealing ICRMP's decision not to renew their insurance. Commission Rasmussen volunteered to continue to serve on the Board of Health following the end of his term, if the commissioners desire him to. An ICRMP election will be held in November.

WAYNE DAVIDSON - BUILDING INSPECTOR REPORT

Building Inspector Wayne Davidson as not able to attend, but submitted a written report. There are 38 new homes this year.

EMMA WITH SICOG – GEM Grant – ACTION ITEM

Emma Morton from Southeast Idaho Council of Governments (SICOG) is working on a Bear River Economic Impact Study with BRAG (Bear River Association of Governments). She would like the county to be a stakeholder and sponsor the Grant application. The purposes of the grant are to establish a benchmark of economic value of the Bear River, regional infrastructure, document to inform policy discussions, and for use as justification for grant requests. Commissioner Rasmussen would like Molly from 4- CASI to be involved. Commissioner Rasmussen read Resolution 2022-07, Idaho Gem Grant Application Resolution. Commissioner Jensen about how much work administering the grant would be for the clerks, and Bishop replied that it should be minimal.

MOTION: A motion to approve resolution 2022-07 was made by commissioner Payne. Seconded by Commissioner Jensen. Motion Carries.

CASUALTY LOSS – STEVI CARLTON, AIN # 60005.00 – ACTION ITEM

Treasurer Tricia Poulsen presented on behalf of Stevi Carlton. Her mobile home burned down. She is asking for a hardship exemption to waive tax for the year.

MOTION: A Motion to approve hardship exemption was made by Commissioner Jensen. Seconded Commissioner Payne. Motion Carries.

HEBER DUNFORD – CONTRACT COMMERCIAL APPRAISALS – ACTION ITEM

Heber Dunford presented a proposal for contracting the county's commercial appraisals from Appraisal Dept, LLC. There are 300 improved and 52 vacant commercial parcels. Commercial is treated differently than residential. There is no training for commercial properties available for the assessor's office staff at this time. Dunford had tried to contact another appraiser to get a second proposal, but he is in the process of retiring and not taking additional work at this time. Dunford is not aware of any other commercial contract appraisers. A year ago he contacted Highland appraisal in Boise, but it was very expensive. Attorney Adam Mckenzie commented that he had reviewed the proposal and if we want to opt out for non-appropriation need to be careful of 60 days. The commissioners discussed whether or not to bid or do a RFP. The work will not be bid based on lack of providers.

MOTION: Commissioner Payne made a motion to give authority for Dunford to work with Mckenzie and Appraisal Dept., LLC on their proposal to come up with a recommended budget and contract. Commissioner Jensen seconded. Motion carries.

Commissioner Rasmussen asked that incoming assessor Janelle Sparks and Consulting Appraiser Jace Cundick be involved also.

MITCH POULSEN – Serenity Hills Preliminary Plat, Jordan Bills Rezone and Preliminary Plat, Aspen Creek Meadows Phase 5 Preliminary Plat, Jon Reed Rezone, Michael Chadwick Rezone, Spring Creek Estates Subdivision – ACTION ITEMS

Mitch Poulsen Presented Planning and Zoning recommendations for several applications.

The Jon Reed Rezone on North Side of Bennington is recommended to be rezoned from Agricultural to Rural Community.

MOTION: Commissioner Jensen made a motion to rezone from Agricultural to rural community for the Jon Reed request. Seconded by Commissioner Payne. Motion Carries.

The Michael Chadwick property, Lot 1 in Lynn Hill Subdivision, is recommended be rezoned from Rural Community to commercial to build storage units. Planning and Zoning's recommendation is that the approval be subject to the applicant meeting the interface requirements.

MOTION: Commissioner Jensen made a motion to approve rezone, in accordance with Planning and Zoning's recommendation. Seconded by Commissioner Payne. Motion Carries

Jordan Bills property is between Bloomington and St Charles. Bateman Lane receives some county maintenance. The request is to rezone 55 acres from agricultural to recreation. A Recreation zone has to feed into lake and mountain environment. The development does not qualify for rural community. It is to currently connected to county roads. The engineer has reviewed preliminary construction drawings and the development meets engineer approvals. Commissioner Payne stated that some neighbors were concerned about erosion on the fence, where graded. The engineer was not concerned with slope. The applicant is only rezoning 55 acres, not the whole 80 acres they own. Planning and zoning recommended Re-zone.

MOTION: Commissioner Jensen made a motion to follow planning and zoning recommendation from agricultural to recreation. Seconded Commissioner Payne. Motion Carries.

Poulsen presented the Preliminary Plat for Jordan Bills, Spring Creek Subdivision. The applicant requests to subdivide the plat into 9 individual lots. The lots are between 4-8 acres. The area does not have secondary access. During the hearing neighbors had concerns about fencing, short term rentals, dust control, roads. etc. Planning and zoning recommends approval.

MOTION: A motion to approve the Preliminary Plat of the Jordan Bills Subdivision based on planning and zonings recommendations was made by Commissioner Jensen. Seconded by Commissioner Payne. Motion Carries.

Serenity Hills Subdivision is proposed to be 9 lots on 30 acres. At the hearing typical concerns were expressed over wells, short term rentals, and OHV use. There was also a concern about fencing on perimeter. Carolyn Moser, a neighboring property owner, would like to participate in a south access. The homes will be 8000 to 12,000 sq feet and will be short term rentals. Planning and Zoning recommended approval of the preliminary plat with the requirement that the developer would put up a fence and create provisions in the CCR's to maintain the fence. Planning and Zoning also requires a solution for the south lane through an agreement with a landowner or on the developed property.

MOTION: Commissioner Jensen made a motion to follow Planning and Zoning Recommendation to approve preliminary plat based on recommendation for fencing and road improvements. Seconded by Commissioner Payne. Motion Carries.

Poulsen updated the commission on a letter received from DEQ letter regarding the increases in requirements due to capacity of the large short term rental homes. The individuals putting in wells will have to meeting the requirements of a transient non-community well, meaning the well will have to be engineered and they will to have a water system operator.

Poulsen presented Aspen Creek Meadows Phase 5 Preliminary Plat. All the roads on plat are already constructed. In the past part of the property has been identified as open space and stormwater drainage. Lot 85 will be stricken from the final plat and will be a scenic pond. The Planning Commission made a recommendation to approve the preliminary plat with exception of lot 85.

MOTION: Commissioner Payne made a motion to approve the Preliminary Plat for Aspen Creek Meadows Phase 5. Commissioner Jensen Seconded. Motion Carries.

SCOTT ESQUIBEL – COUNTY SUPERINTENDENT

Scott Esquibel and Todd Boehme gave the County Superintendent Report. Boehme will be taking over when Esquibel retires. The crew has placed radar signs for the season. They are still working with the sheriff on the mobile radar signs. They are working with PacifiCorp on signs for the Stuart Dam Project. They asked PacifiCorp to update wording on some signage to eliminate confusion. They with Mike Duncan, who is applying for a grant to help develop the Bloomington Canyon Road. Todd Met with Alan Eborn. One issue is the Emergency Operations Center needs some maintenance. The outside needs some bushes removed and on the interior one restroom needs a toilet repair. They are working on the radio issues. Darrin Letzring with the Idaho Department of Emergency management has been in touch

regarding fire season and availability of funds to help county and cities with aid for suppression costs. They need to create a 90 day emergency plan. Rasmussen mentioned that 2-3 homes will be built on Joes Gap Road and he has had a request to plow a bit further.

PUBLIC COMMENTS

During public comments Bill Stock said he did not like the new format for sending the agenda. Also he asked if the EOC would be make handicap accessible. The building will not be used for public assess at this time.

EXECUTIVE SESSION – IDAHO CODE 74-206 (1)

MOTION: Commissioner Payne made a motion to go into executive session according to IDAHO CODE 74-206 (1) (d) To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code. Seconded by Commissioner Jensen. Roll Call Vote. Commissioner Jensen, Aye. Commissioner Payne, Aye. Commissioner Rasmussen, Aye.

The commissioners went into executive session 12:00 pm and left executive session at 12:05. They discussed short issue on an indigent claim. No motion came from it.

Following lunch, the commissioners reconvened their regular meeting at 12:56 PM.

BILL STOCK – P & Z FEE SCHEDULE

Bill Stock asked for clarification on the preliminary and final plat fees. The fee schedule states the fee is "\$440 (if 4 lots or less) \$11/lot" and "\$440 + 16.50 per lot (if more than 4 lots)". It should probably state \$440 + 11/lot. The commissioner felt that a new resolution should be done to clarify and ratify the fees and asked to put the item on a future agenda.

BRET KUNZ - ICRMP POLICY RENEWAL

Bret Kunz presented the ICRMP policy renewal update. The premium for the next year will be \$165,667. He also noted that in the event of a building loss, ICRMP replaces the building, and payouts are not based on the original cost of the building, which is a great benefit.

SETH SCOTT BANNOCK CO.- JUVENILE DETENTION JOINT POWERS AGREEMENT - ACTION ITEM

Commissioner Rasmussen reviewed the Juvenile Detention Joint Powers agreement. Cost will be figured on a 10 year rolling average. Seth Scott the Director of the Juvenile Detention Center from Pocatello presented the updated Joint Powers Agreement. Counties will be billed on their usage, rather than reserving a bed. There is no longer a bed allotment. There are 16 beds, if there were to be more than that someone would be transferred to a nearby area. He may also work with the courts to come up with productive solutions in the local community that do not involve detention.

MOTON: A motion to give Commissioner Rasmussen the authority to sign the juvenile detention facility joint powers agreement was made by Commissioner Payne. Seconded by Commissioner Jensen. Motion Carries.

BE EXCAVATION – WORM CREEK GRAVEL PIT RECLAMATION PLAN – ACTION ITEM

Cameron Whitaker with BE Excavation stated that the Worm Creek Gravel Pit was previously leased by the County, BE is the new owner. The Reclamation plan with Department of Lands needs to be transferred to BE.

MOTION: Commissioner Jensen made a motion to transfer the reclamation plan to BE Excavation. Commissioner Payne seconded. Motion Carries.


BOARD OF EQUALIZATION - ACTION ITEM

There were no appeals to be heard today.

The commissioners will meet June 27th at 9:00 am for budget work session.

MOTION: Motion to adjourn was made by Commissioner Jensen. Seconded Commissioner Payne. Motion Carries.


Meeting adjourned at 1:46 p.m.



VAUGHN N. RASMUSSEN, Chairman



Date Approved

ATTEST: 

Amy Bishop, Clerk

