

The Board of Bear Lake County Commissioners met on Monday, November 14, 2016 at 9:00 a.m. in the School District #33 Board Room in Paris, Idaho. Members present were Chairman Vaughn N. Rasmussen, Bradley D. Jensen, Rex L. Payne and Cindy Garner, Clerk of the Board.

Also attending the meeting were Prosecutor Steve Wuthrich, Treasurer Tricia Poulsen, Assessor Lynn Lewis, Mitch Poulsen, Prosecutor-elect, John Olson and Dan Bishop reporter for The News-Examiner.

APPROVE AGENDA

Commissioner Payne made a motion to accept the agenda, seconded by Commissioner Jensen, motion carried.

COMMITTEE ASSIGNMENTS

Assessor Lynn Lewis reported about a hardship application which will need to be looked into regarding who should pay the taxes on the property. Treasurer Tricia Poulsen will make sure both parties get a tax notice.

Treasurer Tricia Poulsen reported that the tax notices were sent out using their new mailing program. They had a few issues they worked through and all the notices should be out.

Clerk Cindy Garner presented a few housekeeping items. The Commissioners approved a Juvenile Justice Contract. The Commissioners received a letter from the forest service. A contract was approved with T.J. Burbank for IT support. An ICRMP ballot was presented, Commissioner Payne made a motion to vote for Shellee Daniels from Oneida County to be on the ICRMP board, seconded by Commissioner Jensen, motion carried. The Commissioners reviewed the Levy sheets with updates from the tax commission. The Commissioners discussed the Sheriff's retirement luncheon on November 28 with an open house at the Grace Thiel Community Center from 2-4 p.m. Also, a luncheon for the Prosecutor, Steve Wuthrich will be held November 23rd prior to his leaving. The Commissioners also reviewed a letter from Keller Engineering on the road standards, but the Commissioners did not approve the new standards at this time.

Commissioner Jensen report on the cost of a repair to one of the garbage truck at \$9,000. There was a dead-end sign requested on one of the roads in Dingle. He also reported that Planning & Zoning is looking at ordinances to work on the land use and overlay zones for subdivisions.

Commissioner Payne reported that the community center repairs using county funds have been completed. He also reported that the Fair Board has selected August 14th through the 19th for the Bear Lake County Fair next year and that a pickup truck at the fairgrounds needs some repairs. He discussed the stop sign at the bottom of Jefferson street with the City of Montpelier and determined it to be a city issue.

APPROVE MINUTES

Commissioner Jensen made a motion to approve the minutes from meetings held on September 14, 21, October 11 and 24th, seconded by Commissioner Payne, motion carried.

Chairman Rasmussen reported on his conversation with the Ambulance board about the sale and they are exploring several options but nothing will be done without approval of the Commission. The Ambulance Service is working on a grant, more information to come at a later date.

The Commissioner rejected previous bid for a 2002 Ford Explorer as they felt they could get a better deal selling it for salvage.

Sheriff Brent Bunn presented his monthly report and stated there were 32 juvenile detention days not listed on the report. The Sheriff's office had not received the bill from the Caribou County Jail so it would be reported later. Sheriff Bunn made a formal request that, upon his retirement, the county present him with his badge and service weapon. The process to hire a new deputy was moving slower than expected. Sheriff Bunn also mentioned to the Commissioners that someone has put up a gate blocking off the Dingle Pond, blocking access to public property. Commissioner Payne will look into it and make sure the gate is removed.

BUILDING INSPECTOR REPORT

Wayne Davidson presented his monthly report, so far in 2016 there have been 30 new homes permitted. There is a new commercial building, a tire store, being built in Montpelier. Commissioners requested that he make a checklist for commercial and residential permits to help people get everything they need. Davidson also stated some maintenance is needed in the courthouse and the building at the landfill is moving forward.

PLANNING & ZONING - SCHWAB RE-ZONE

Mitch Poulsen delivered P & Z's recommendations regarding the Schwab re-zone, the Commissioners agreed with the presentation. Commissioner Jensen made a motion to approve the Schwab re-zone pursuant to the road standards being met by the developer and future residents sign off that they understand they are in an agricultural area and that the road may be used in the future as a mining road. The motion was seconded by Commissioner Payne, motion carried.

BRUCE OLENICK - DEQ UPDATE

Bruce Olenick presented the Department of Environmental Quality updates. He also reported that the issues around the lake are being looked into including a Frequently Asked Questions list for the east side of the lake and some health issues that have been reported around the northeast end. The DEQ would like to be part of the committee that will be discussing the beach use of the lake. Chairman Rasmussen stated there are many questions and concerns regarding the lake and they would all like to work together. Bruce did discuss the landfill also and answered some questions.

DEVIN SKINNER - MARVIN SCHWAB RE-ZONE

Devin Skinner did not need to appear regarding the Schwab re-zone as Mitch Poulsen had taken care of that previously.

APPOINTMENT OF PLANNING & ZONING MEMBER

Commissioner Payne made a motion to reappoint Ron Jensen to the Planning & Zoning Board, seconded by Commissioner Jensen, motion carried.

SARA LICHFIELD - LAND USE ORDINANCE SECTION 19

Sara Lichfield addressed the Commissioners by phone regarding some questions she had about Section 19 of the Land Use Ordinance and how it affects a property she wishes to fix up. After much discussion and receiving a thorough explanation from Commissioner Jensen and Attorney Steve Wuthrich, Lichfield understood the ordinance and agreed to follow it.

RON HARPER - JUVENILE/MISDEMEANOR PROBATION YEARLY REPORT

Ron Harper presented his yearly report stating that juvenile probation is down from 2015 as are juvenile detention days. Adult probation has increased in 2016. He also mentioned there are some alcohol laws that have changed and will have an effect on numbers in the future.

BART HESLINGTON - VEHICLE LEASING PROGRAM

Sheriff-elect Bart Heslington introduce Bob Hugo, representing BanCorp Bank, to the Commissioners. Hugo then proceeded to present the benefits of leasing the sheriff's office vehicles from his company as opposed to the six-year purchase rotation the vehicles are currently on. After hearing many good points and having several questions answered, the Commissioners want to talk with other counties who are on this program and about how well it is working or not working for them. A vote to approve or reject this proposal will be scheduled for the December meeting.

DUMP TRUCK BID OPENING

Due to an error in the specification sent out, all bids on the new dump truck were rejected without opening them. The error was corrected and the Commissioner Jensen made a motion to approve the reissue of the bidding, seconded by Commissioner Payne, motion carried.

PUBLIC COMMENTS

During public comments, Prosecutor-elect, John Olson, presented the Commissioners with a letter by Charles Horakami regarding the Republican Central Committee presenting names for the Commissioners to appoint a new prosecutor after the resignation of Steve Wuthrich. The Commissioners discussed the appointment process.

EXECUTIVE SESSION

Commissioner Payne made a motion to leave the regular session and go into an executive session pursuant to Idaho Code #76-206 (b,d,f) to discuss personnel, indigent and legal matters. A roll call vote

was taken, Vaughn N. Rasmussen, Bradley D. Jensen and Rex L. Payne all stating "I". Commissioner Jensen made a motion to leave the executive session and go back to the regular meeting, seconded by Commissioner Payne, motion carried.

LISA TRANSTRUM - BEAR LAKE SOIL & WATER - COUNTY FUELS REDUCTION PROJECT

Lisa Transtrum reported on the county fuels reduction project. The loggers went back into the Hollows but it was too muddy so they were pulled back off. There is a plan under development to finish the project this fall. The Loveland Lane project has been postponed until spring.

Several items came out of the executive session. Jensen made a motion to approve the Medical Claim #2016-10010 and new Medical Claim #2017-10006 contingent upon approval at the interview, seconded by Commissioner Payne, motion carried. Commissioner Payne made a motion to approve a mortgage release for a Medical Assist applicant in order to refinance and then the 2014 Medical lien goes back on, seconded by Commissioner Jensen, motion carried. The Commissioner Payne made a motion to present Sheriff Bunn his badge and service weapon, upon his official retirement pursuant to Idaho Code #31-830, seconded by Commissioner Jensen, motion carried.

ALAN EBORN - EMA EARTHQUAKE TABLE TOP

Alan Eborn introduced Nick Scarborough and Devin Hughes from the Idaho Department of Health who presented a sixty minute EMA Earthquake TableTop Discussion. This discussion covered the recovery process that needs to happen in Bear Lake County in case of a major earthquake.

CLAIMS APPROVED

Commissioner Payne ratified the bills, seconded by Commissioner Jensen, motion carried.

BEER AND LIQUOR LICENSE RESOLUTION

Commissioner Jensen made a motion to approve Resolution #2017-01 regarding the Beer and Liquor Licenses for the 2017 year, seconded by Commissioner Payne, motion carried. A complete copy of the resolution can be seen or requested at the clerk's office.

CANVASS THE VOTE - GENERAL ELECTION

After reviewing the General Election Abstract, Commissioner Jensen made a motion to accept the canvass of the votes, seconded by Commissioner Payne, motion carried.

KELLER ASSOCIATES CONTRACTS

Commissioner Payne made a motion to sign the agreements for Keller Associates regarding the Bridge Application, STP Rural Application, Local Highway Safety Improvement Application and the LRHID Construction Application, seconded by Commissioner Jensen, motion carried.

COURTHOUSE & COURTHOUSE HOURS/EMPLOYEES

The Commissioners will address the courthouse hours and employee evaluations next month.

APPOINTMENT OF PROSECUTING ATTORNEY

Commissioner Payne made a motion to accept the resignation of Steve Wuthrich in which November 27, 2016 will be his last day, seconded by Commissioner Jensen, motion carried. According to Idaho statute, #59-906 & 907, the Commissioners have two options to fill the vacancy for prosecutor. After reviewing those options and the 2 names submitted from the Republican Central Committee, Commissioner Jensen made a motion to appoint Prosecutor-elect John Olson to fill the vacancy created by the resignation of Steve Wuthrich, seconded by Commissioner Payne, motion carried. Olson will be sworn in officially at a special meeting on November 28, 2016 at 11:15 a.m. in the county Clerk's office. Olson and the Commissioners discussed the transition and schedule in the month of December.

CHANGE ORDER & POWER AGREEMENT/EASEMENT AND POWER SERVICE CONTRACT FOR AIRPORT PROJECT

The Commissioners reviewed the change order and power agreement as well as the easement and power service contract for the airport project. Commissioner Payne made a motion to go forward with the change order, weather permitting and sign the construction contract and the easements, seconded by Commissioner Jensen, motion carried. Commissioner Rasmussen abstained from the vote due to a conflict of interest.

CERTIFICATE OF RESIDENCY

Commissioner Jensen made a motion to approve four Certificates of Residency, seconded by Commissioner Payne, motion carried.

WASTE TIRE ORDINANCE

The Commissioners discussed the Waste Tire Ordinance and determined that any ordinance should be removed and a resolution should be created. They will address it further next month.

EXECUTIVE SESSION

Commissioner Jensen made a motion to leave the regular meeting and convene into an executive session pursuant to Idaho Code #74-206 (b) to discuss a personnel matter, seconded by Commissioner Payne, motion carried. A roll call vote was taken, Commissioners Vaughn N. Rasmussen, Bradley D. Jensen and Rex L. Payne all stated 'I'. Commissioner Payne made a motion to leave the executive session and go back into the regular meeting. One item resulted from the executive session, the Commissioners discussed a job description for a budgeted new position of County Supervisor and will finalize the job description and then the job will be posted.

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