

**Bear Lake County Commissioners' Meeting**  
**April 10, 2023**  
**Commissioners' Chambers – Paris, Idaho**

The Board of the Bear Lake County Commissioners met in its regular meeting at 9 a.m. Monday, April 10, 2023, 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 Board Clerk Amy Bishop. Also in attendance were Attorney Adam McKenzie, Assessor Jannelle Sparks-Jensen, Treasurer Tricia Poulsen, Sheriff Bart Heslington, Superintendent Todd Boehme, County Building Inspector Wayne Davidson, Deputy Clerk Paul Christiansen and various members of the public.

**APPROVE AGENDA – ACTION ITEM**

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

**ELECTED OFFICIALS UPDATES**

Assessor Jannelle Sparks-Jensen said the county's Motor Vehicle Department in March collected \$99,895.53 through in-office Idaho Transportation Department vehicle registrations; \$1,579 through Idaho Parks and Recreation registrations and permits; and \$208.44 through renewals made through the mail and via QR codes.

Sparks-Jensen said Idaho House Bill 85 had passed and will go into effect July 1, 2023. That legislation allows the Boards of County Commissioners throughout Idaho's 44 counties to independently set a title administrative fee to cover costs at the county level associated with title transactions. The state's assessors have pushed for this bill as a means of covering an expected shortfall – resulting from a push by the state to increase vehicle registrations performed online and via mail, directly through the state motor vehicle office – at county motor vehicle departments. This deficit will be incurred come October 23, 2023, when these county departments no longer will be reimbursed the fees from any transactions done online or by mail through the Idaho Department of Transportation.

Originally, the state's assessors asked for an increase in title fees from \$14 to \$20 and an increase in VIN inspection fees from \$5 to \$10, she said. However, the representative who sponsored the bill believed it would be more successful if the fee was set by the county commissioners. Because every county will set its own fees, Sparks-Jensen encouraged the Board to consult with commissioners from the neighboring counties and within the district to determine what course of action is best for Bear Lake County.

Commissioner Jensen suggested this matter be added to the next four-county meeting agenda. That meeting will be held in June.

Based on the county's calculation of cost of an employee per title transaction, Sparks-Jensen said a \$6.71 admin fee will be needed. Through discussions with ITD and other counties' assessors, it was

suggested the admin fee on registrations be lowered, while the admin fee on titles be raised, as those transactions must be done in the local office. Bear Lake County has seen an increase in online renewals, as well as a heavy decrease in mail-in renewals due to these being automatically sent to ITD. Additionally, ITD now gives customers the option to receive electronic renewal reminders via text or email. That will most likely again increase online renewal numbers. Ultimately, when these online renewals are done, the customer loses the services they would receive from the local motor vehicle department, she said.

Sparks-Jensen proposed Bear Lake County decrease the registration administrative fee from \$3.86 to \$3 and add a \$6 administrative fee to title transactions. This will raise the title fee from \$14 to \$20, resulting in an overall increase of \$5.14. In order for these fee changes to be populated to ITD's systems and in order to be in effect by July, the Board needs to have a resolution in place no later than June 1, 2023, she said.

Because several homes have collapsed throughout the county due to this winter's heavy snowfall, some property owners have contacted the Assessor's Office and requested their homes be removed from the tax roll. Sparks-Jensen reiterated her office was required by code to send out tax assessments for full property values as of January 1, 2023. If a building collapsed or collapses after January 1, 2023, the property owner will need to fill out the casualty loss exemption form by the fourth Monday in June in order for it to be presented to the Board of Equalization to make a decision on granting an exemption. Once the exemption has been granted, the Assessor's Office will adjust the value to reflect only the time the improvements were standing, she said, and a new assessment value will be mailed to the claimant.

The Bear Lake County Assessor's Office has been contacted about collapses by five homeowners this year, and the process was explained to those individuals, Sparks-Jensen said. By filing casualty loss exemption forms, this aids with limiting the tax cancellations that have to be done by the Bear Lake County Tax Collector.

Commissioner Olsen suggested this information be made available to the public via the county website, the county and Sheriff's Office Facebook pages, the local newspaper and radio station. This would help ensure these issues can be resolved in BOE rather than through the tax cancellation process, he said.

Commissioner Payne said it might be beneficial to provide this information to local insurance agents as well. Sparks-Jensen said she would work with the appropriate individuals to publicize the information accordingly.

Treasurer Tricia Poulsen presented a garbage fee cancellation for parcel No. 04066.00 in the amount of \$210. This property consists of two parcels, and a garbage fee had been previously placed on one of the parcels. However, when the home was built a second garbage fee had been added in error and the property owner had been effectively charged twice for a single service. Poulsen said the second fee now needed to be removed from the property.

**MOTION: Commissioner Payne made a motion to remove the second garbage fee, in the amount of \$210, from parcel No. 04066.00. The motion was seconded by Commissioner Olsen. The motion carried.**

Poulsen said it is important homeowners know that with Idaho House Bill 292 – which will provide up to \$355 million in property tax relief – no homeowners exemptions will be given unless applied for by the second Monday in July. Previously provided exemptions will be grandfathered in under the bill, she said.

House Bill 292 will increase property tax relief income levels and the median value will be raised to \$400,000. Everyone with the homeowners exemption will get a portion of the tax relief money, Poulsen said. The bill also provides the counties with money to pay off their school district bonds. Property tax remains the same, but the homeowners exemptions are based on the levies, she said.

Due to the complicated nature of House Bill 292, all county assessors and treasurers are encouraged to attend the state's budget and levy training next month, she said. Poulsen has been asked to sit on the tax committee and will sit alongside treasurers from Canyon and Kootenai Counties, as well as the Idaho State Tax Commission. This committee will work together and do a mock tax drive – showing the impacts on both large and small counties – to determine how these changes will work before the next real tax drive in November, Poulsen said.

Poulsen provided the Treasurer/Auditor Joint Quarterly Report to the Board. This report showed a total of all county funds, reflecting a total of \$9,428,740.58. A statement of the Treasurer's cash on hand, which was included to show money in different funds and how it is managed and how it is invested, showed a total of \$9,681,322.70. This amount is higher than the total of county funds due to outstanding warrants in the amount of \$252,582.12, Poulsen said.

Poulsen said about \$250,000 is invested in a Zions Bank Municipal Money Market account, with a 0.2- or 0.3-percent rate over a period of two years. That account requires a \$175 monthly fee. After doing the calculations, Poulsen has found the interest earned is nearly voided through that fee, whereas investments in the State Pool require no fees and are very accessible with same-day transfer ability. Going forward, it might be wise to invest more money into the State Pool, Poulsen said.

Sheriff Bart Heslington said that in conjunction with the ongoing communications project he is keeping tabs on Day Wireless Systems and its efforts to keep the project moving forward. In tandem with those radio infrastructure upgrades, Heslington said he is working to secure grant application funding to assist with the radios themselves. He said he was expecting to have received notice of funding approval the previous week but had yet to hear any updates.

The incorporated cities within the county – including Paris, St. Charles, Bloomington and Georgetown – have expressed interest in establishing with the Bear Lake County Sheriff's Office a contracted law enforcement service within those cities, Heslington said. Primarily, the services needed would center on traffic and ordinance enforcement. The sheriff and County Attorney Adam McKenzie are working to establish a base contract to begin back-and-forth conversations with those municipalities.

Commissioner Payne said he had been contacted by a member of the Georgetown City Council and had some concerns about how this will be done without the patrolling officers incurring overtime and additional county expenditures. While it sounds like the municipalities – at least Georgetown – are willing to contribute to the costs, their contributions will not completely cover these expenses,

Commissioner Payne said.

Heslington said he is hoping to bring together delegates from each city, delegates from the Board and the county attorney to discuss with him what contributions each city can make and what contributions the county may be able to make. Additionally, he said, his office is looking at alternative funding sources. This type of contract law enforcement service is becoming more and more common, even in bigger cities. One example within Southeastern Idaho is the city of Ammon. With a large base and business population, Ammon has found it is more feasible and economical to contract law enforcement with Bonneville County, Heslington said.

Heslington said he also is working to get his department's reserve law enforcement officers completely certified so they will be able to work in contracted capacity if needed.

In the past, some of these municipalities have had independent contracts with Bear Lake County deputy sheriffs to conduct enforcement in these areas while on their off-duty personal time. The sheriff had allowed these deputies to use Sheriff's Office equipment and wear their Sheriff's Office uniform. Heslington said he has now decided this is no longer the proper thing to do, as any time these deputies are operating county equipment and dressed in county uniform outside their regular shifts, that is overtime and those individuals need to be compensated accordingly.

McKenzie said that when a city incorporates, it is required by statute to provide law enforcement for its citizens – including ordinance violations. However, any effort by the Sheriff's Office has to be done through some sort of agreement.

As it stands right now, the Sheriff's Office does not have the authority to enforce these cities' ordinances, although it responds to all law enforcement calls within the county, Heslington said. Because of this, the Sheriff's Office works to mitigate these issues within those municipalities and works to eliminate exigent circumstances. After that, the cities are responsible for any necessary follow-up.

Heslington said that while the commissioners had approved the signing of the purchase agreement for a Tucker Sno-Cat trail groomer at a previous meeting, the agreement had been stamped with Commissioner Jensen's signature. Heslington said the company selling the groomer had asked that Commissioner Jensen provide his actual signature on the contract rather than a stamp. Commissioner Jensen signed the document and returned it to Heslington.

Heslington said he had worked with McKenzie to investigate and respond to an incident that took place in the Sheriff's Office Dispatch Center. With the conclusion of the investigation, Heslington said he had prepared and was now ready to release a statement to the public.

On Wednesday, March 29, 2023, one of the Bear Lake County Sheriff's Office personnel, while inspecting a training pistol, discharged his own service weapon causing an injury to himself. Nobody else was injured and the deputy's injury was not of a serious nature. There was little damage to the Dispatch Center. Upon interviewing those present and the deputy involved, the incident had been deemed an accident. Heslington also said he had addressed the matter with the deputy involved and the necessary remedial and disciplinary actions have been taken.



Per county and ICRMP policy, Heslington and McKenzie had conducted an internal review of the incident. The sheriff said he had taken and continues to take the necessary remedial measures to prevent a future occurrence and to ensure the continued safety of his staff.

Heslington said he and Commissioner Payne will be going on a tour of the county with the Idaho Department of Lands. This will be done in regards to a memorandum of understanding between the county and the department that has been long in development.

Heslington said he was working to resolve the ongoing phone system issues at the Bear Lake County Courthouse. Direct Communications – a local company that has spent a great deal of time trying to resolve the county's issues stemming from service with another provider located elsewhere – had recommended the company RyTel be considered as a replacement for the county's administrative phone system provider. Heslington said he had been in talks with RyTel to provide a proposal, but those discussions had been difficult because the county's current provider, Solacom, had not been forthcoming with the Bear Lake County information RyTel needed.

The issues with the Solacom system have been ongoing for several months, and several members of the public have complained to county employees, Heslington said. Additionally, if the county changes service to RyTel, the phone relay will no longer transition from copper to fiber connections, which is thought to be causing some of the issues, he said. A RyTel system will work fully on fiber to the courthouse building, at which point the industry-standard Voice Over Internet Protocol (VoIP) will take effect.

Clerk Amy Bishop provided to the commissioners a letter from the Idaho State Tax Commission concerning House Bill 292. She said Idaho's county clerks are working now to figure out the changes that come with setting levies when the property tax legislation takes effect. Because it is a lengthy process, Bishop said it is likely too late to get the county's many individual taxing districts' budgeting information completed before the end of Idaho's fiscal year on June 30.

Bishop said there will be a Fifth District elected officials meeting at 1:30 p.m. on Thursday, April 20, in Malad, and the Board had previously discussed ensuring a county representative selected from a rotation of elected officials attends those meetings. Commissioner Payne said he plans to attend.

The new employee in the Court Office is now up to speed and is taking over the district court duties, Bishop said. Additionally, interviews for the Tri-County Treatment Court Coordinator position – shared between Bear Lake, Caribou and Oneida Counties – had been conducted Friday, April 7. An offer for that job had been extended to one of the interviewed candidates, she said.

An updated computer is needed in the Commissioners' Chambers, Bishop said. When the chambers were built, the Idaho Supreme Court would not provide a computer in the room for the clerk's use. However, that court required a computer be in place to work with the installed microphone and audio recording system so any court proceedings held in the chambers would be on the record.

Bear Lake County has used an older computer with an outdated operating system in the chambers since

construction, and the machine now is beginning to have technical issues, Bishop said. The county IT professional, TJ Burbank, had recommended rather than installing a new hard drive in the existing unit, a new computer be purchased to replace it. This will eliminate the many security risks associated with continuing to use an old operating system, Bishop said.

The cost of a new computer will be about \$900, and a new software license will be required to continue recording audio. An annual subscription will cost the county \$2,150 each year, or the county can purchase the software outright for \$3,695, with no recurring annual cost after purchase.

Bishop said the county's Technology Budget is exhausted for the year, but the cost of the computer can be taken out of the District Court Fund, at the Board's direction. If the county buys the recording software outright, \$1,500 can be contributed from the County Facilities Fund. The remaining \$2,200 can come from the Commissioners' Contingency Fund, which has an untapped \$50,000 at its disposal.

Commissioner Jensen said the farther behind the county gets with technology, the more expensive and more difficult it is to catch up.

**MOTION: Commissioner Payne made a motion to provide \$2,200 from the Commissioners' Contingency Fund to pay the difference and ensure the county stays up to date as it purchases the needed computer and software for the clerk's computer in the Commissioners' Chambers. The motion was seconded by Commissioner Olsen. The motion carried.**

#### **COMMITTEE ASSIGNMENTS**

Commissioner Payne said he had received a text from Brandee Wells, the district manager of operations for the Bear Lake Soil & Water Conservation District, to confirm she was on the meeting agenda. Bishop said she had been previously contacted by Wells but believed Wells had asked to be added to the May agenda.

**MOTION: Commissioner Payne made a motion to amend the in-progress agenda to add Brandee Wells presenting information only on behalf of the Bear Lake Soil & Water Conservation District. The motion received a second from Commissioner Olsen. The motion carried.**

Commissioner Payne said the University of Idaho Extension in Bear Lake County had moved Jennifer Matthews to a full-time position and had offered the open part-time position to another person. The office also had made the recommended offer for the vacant extension educator position. He said the county in the future will need to examine its part-time position wage. The part-time position at neighboring Caribou County's extension office starts at \$16 hourly and raises to \$17 per hour. The University of Idaho starts part-time employees at \$17 per hour. Bear Lake County begins its extension office part-time employees at a much lower wage of \$13 per hour.

Commissioner Payne requested the Board add further discussion about this to its May meeting agenda.

Commissioner Payne said he had received word that the local Republican Days had been cancelled due to no upcoming elections.

Commissioner Olsen said he and Clerk Amy Bishop had met with representatives from the Montpelier Golf Course and Korden Wray, the ICRMP claims specialist, to address the collapse of the course's golf cart storage building. It had been determined Montpelier City's insurance will cover the building itself, while the golf course will need to submit a tort claim to Bear Lake County regarding damage suffered by the golf carts that were within the building. Wray had told the county this was the process that needed to be followed, as the county's contract with the golf course states the county will provide the storage for the carts, Commissioner Olsen said.

Shortly after the conclusion of the golf course meeting with the ICRMP claims specialist, the roof on the dairy building at the fairgrounds collapsed, he said. Chief Deputy Clerk Mindy Williamson and Bishop are working together to appropriately address that issue.

Commissioner Olsen said he had been notified by employees of the extension office that a few juveniles had been wandering in and out of the fairgrounds looking at the damage. Because of that, Commissioner Olsen said the county should close the area from access.

County Attorney Adam McKenzie recommended the county post a notice at the fairgrounds instructing the public to stay away from the area until the safety issues can be addressed. Additionally, he said, the area should be roped off and clearly marked with hazard tape and clear informative signage.

How soon the issue can be resolved will be depend upon weather conditions and mud at the fairgrounds, when a contractor can work on the issue, what materials will be needed and what materials are available for the repairs, Commissioner Olsen said. However, this may create issues in the late spring and early summer when baseball and softball teams come to the area to participate in tournaments, as many of the teams and their families have worked with the fair board to secure camping and parking at the county fairgrounds.

Commissioner Olsen reported he had attended a meeting on April 6 in Pocatello with the District VI Juvenile Detention Center Board and had been very impressed with how the operation is managed. Additionally, he said he had met with the Bear Lake Senior Center and the Bear Lake Memorial Hospital Boards. Both bodies are doing well, he said.

#### **WAYNE DAVIDSON – BUILDING INSPECTOR REPORT**

County Building Inspector Wayne Davidson said new building permit requests have been coming into his office. There also is a lot of interest from those who haven't applied for permits. Davidson said he gets contacted regularly by builders who wonder when they can begin new construction. Because of this, Davidson said he believes there will be an increase in permitting come springtime.

Houses that have been under construction are being finalized at a steady basis, although sidewalks and other outside accommodations will not be able to be completed because of the current snow and ice accumulations.

Although several buildings throughout the county have had roof collapses, this has shown the Bear Lake

County building codes in place are working. None of the buildings constructed in the 16 years Davidson has been with the county have experienced roof collapses due to the heavy snow. In that time, buildings have been built to account for a 45-pound ground snow load per square foot. That equates to about 5 feet of heavy, dense snow.

Davidson reiterated that in the past 16 years all new residential builds have stood. The collapses the county has seen this winter have been on buildings not built to the code or those that were built before the code was in place. Additionally, agricultural buildings are exempt from the code, so there have been a few of those types of buildings that have suffered damage, he said.

When the time comes, Davidson said, the new cart building at the Montpelier Golf Course should be built to the county code to help prevent future issues from snow buildup.

Concerning the recent roof collapse at the old Bern School building, Davidson said there has been a debate for years of who actually owns the building. He has been told the Bear Lake School District recorded a quit-claim deed providing the property solely to the Community of Bern. The citizens of Bern have asked if the county can help knock the building down to prevent any future danger, he said.

The issue is there is no official entity recognized as the Community of Bern, and one has never existed, County Attorney Adam McKenzie said. If a party takes ownership and tears the building down, they will want to recoup their money. At the same time, the people of Bern want to retain the option to keep the property, he said.

Davidson said he serves as local flood plan coordinator and is watching closely the potential spring flooding issues the county may face. Bear Lake County is part of the national flood plain insurance program, and is in the lowest tier. That insurance will cover up to \$35,000 flood damage if residents apply for it.

**The Board adjourned the meeting for a short recess at 10:26 a.m.**

**The meeting resumed at 10:31 a.m.**

#### **BRYAN NIELSEN & JOE TATE – PRESENTING HR SERVICES**

Joe Tate and Bryan Nielsen from Boost HR & Recruiting conferenced with the Board via Zoom. Boost HR & Recruiting is a firm that offers consulting and support to organizations across the west – including public organizations, counties and cities – and provides support for legal, training and compliance needs through a process called fractional human relations, Tate said.

Organizations with 75 to 100 employees benefit from bringing on an HR person to help with employees' needs, Tate said. Boost is available to supply to Bear Lake County Nielsen's expertise on federal and state laws and how they pertain to employees. This service can be offered 10 to 15 hours per week in a support roll that can be conducted remotely, on site or through a mixture of both, Tate said.

Nielsen said he has been providing fractional HR services to Oneida County, with Oneida County

Commissioner Bill Lewis recommending he contact Bear Lake County and provide information on what Boost can offer.

The Board of Bear Lake County Commissioners said it wants to see a written proposal from Boost HR before any decisions are made. Tate and Nielsen agreed to supply a proposal and return for more discussion at a future meeting.

#### **MITCH POULSEN – BALD MOUNTAIN FINAL PLAT – ACTION ITEM**

Bear Lake County Planning & Zoning Administrator Mitch Poulsen presented to the Board for consideration the Bald Mountain Estates final plat. The project engineer had recommended the Board not sign the final plat until some minor but necessary changes had been made. The project – which is located in the Bennington area – has some issues with the water system design and these need to be addressed before final signature can be put to the final plat approval for recording, Poulsen said.

That being said, Poulsen said he positively recommended the Board accept the plat, contingent on the pending final alterations being completed before the Board Clerk sign the plat and record it.

**MOTION: Commissioner Olsen made a motion to accept the Bald Mountain Estates final plat, pending the stipulations be met before final signature and recording. The motion was seconded by Commissioner Payne. The motion carried.**

#### **TODD BOEHME – COUNTY SUPERINTENDENT**

County Superintendent Todd Boehme said he had been contacted by the Bear Lake National Wildlife Refuge about the upcoming Bunn Lake Project, which has been in the works for about three years. Everything for the project is in place, except receiving approval to shut down North Beach Road. Alternate roads around the project have been proposed and presented to Rocky Mountain Power for approval, he said.

Boehme said he has been assured the Bunn Lake Project – which will go under North Beach Road near the area's fish ladder – will be completed by the fall of 2023. Additionally, the Jericho Loop Bridge Project, which crosses St. Charles Creek, was scheduled to be completed in April. However, due to this winter's snow accumulation that date will likely be pushed back, he said.

The Road and Bridge Department plans to implement any needed spring road maintenance and grading that can be done without destroying the integrity of the roadways. Boehme said he expects there will be roads in the county that will be washed out and damaged by spring runoff and the effects of winter weather, but the department will do all it can to address those issues as they are encountered.

Boehme said he has been working with Todd Transtrum on the county's five-year road plan. There are still some areas that need to be worked on before the plan is complete, but progress is being made.

#### **TODD BOEHME – EMERGENCY MANAGEMENT COORDINATOR**

Since the Board's last regular meeting, eight representatives from Team Rubicon – a volunteer organization that works in communities to help provide service to those in need during atypical circumstances – came to Bear Lake County and shoveled 19 residential roofs over a three-day period, Boehme said. Because this service was offered to those within the community who were unable to shovel roofs themselves or afford to hire someone to do it for them, Team Rubicon's efforts did not interfere with locals who were providing this service as a way to subsidize their incomes.

At the request of the Idaho Office of Emergency Management, Boehme had supplied a list of buildings throughout the county that are likely to be impacted in the event of a major earthquake. This information will be factored into the State Hazard Mitigation Plan. Boehme said he expects the state will send some individuals in the near future to the area to examine the buildings he referenced.

As Emergency Management Coordinator, Boehme is taking part in planning for the multiagency active shooter training that will be held for the county's emergency response and administration departments on May 13.

In preparation for spring flooding, Boehme said sand loads had been delivered to the Bear Lake West Property Owner's Association, the Fish Haven General Store and the Georgetown Latter-Day Saint Church parking lot. Loads of sand and sandbags also had been taken to the Bear Lake Sands and Sands 2 subdivisions on East Shore Road.

Sand and sandbags still are available at the Road and Bridge Department parking lot. Additionally, sandbags have been supplied to the Montpelier City maintenance crew, he said.

Boehme said he has been in contact with Rocky Mountain Power regarding flood relief. He has been told a public announcement will be coming to warn farmers below Stewart Dam that it is anticipated the dam will have to be opened to relieve some river water. He said he is monitoring the situation closely and will report any information as he receives it.

Bear Lake County is impacted by the potential of two flood seasons, Boehme said. The valley's snow will melt first. Beyond that about two weeks, the high country begins melting. This process and the rate at which the snow flows downhill into the valley from the high country will be dependent on overall temperatures but may be lessened if nighttime temperatures dive low and slow the melting process.

Boehme said he had attended a Regional Water Rescue tabletop training between Utah and Idaho and concerning Bear Lake. The group has a live training exercise scheduled in June.

#### **TODD TRANSTRUM – NOXIOUS WEED PROGRAM UPDATE**

Bear Lake County Weed Control Supervisor Todd Transtrum provided a weed control program update to the Board. He said his department's current primary focus is the noxious weed laws, and he wants to ensure his department is in compliance with the state's noxious weed laws.

Transtrum said he has encountered situations in which landowners have been notified they have a noxious weed problem and help has been offered to combat the issue. The law provides that if the



landowner does not want to participate in this program and receive help, notice can be provided giving the landowner so much time to address the issue on their own. If they do not comply, Transtrum's department, under state law, can then take action and address the issue.

The Weed Control Department also addresses vegetation management on county roads. This process involves a lot of herbicide application on the sides of roads and in the county right-of-ways, and it makes the roads better and more prepared for necessary maintenance conducted by the county Road and Bridge Department, Transtrum said.

Transtrum reported he works with many other agencies – including the Highlands Cooperative Weed Management agency, Idaho Fish and Wildlife, the United States Forest Service, the Bureau of Land Management and neighboring counties in both Utah and Idaho – and private landowners to secure funding for projects. Weeds know no boundaries, so it is important all concerned parties work together to make these projects successful, he said.

Additionally, Transtrum said his department is actively working on education and outreach that include helping to certify people for their pesticide-handler's license through classes; noxious weed mapping and inventory efforts; and a biological control program that sees weed's natural insect predators – if research finds no additional damage will be done – introduced to the area as a means of reducing or eliminating the issue.

Additional noxious weed control-related services offered by the Bear Lake County Weed Control Department include herbicide sales, herbicide application, equipment rental, weed control consulting and education and weed free forage inspection.

Although organic farming is becoming a trend in modern times, Transtrum reminded the Board that organic farmers are not exempt from the state's noxious weed statute. If these types of agriculturists choose to not use pesticides or herbicides, they have to address the issue of noxious weeds through another means, he said.

#### **MINDY WILLIAMSON – POLICY FOR P&Z DEPOSIT – ACTION ITEM**

Bear Lake County Chief Deputy Clerk and Accounts Receivable Manager Mindy Williamson reminded the Board it had previously discussed the deposit policy for Planning & Zoning subdivisions. When subdivisions are completed, Keller Engineers supplies an invoice that is paid by the county. At that point the subdivision developer is to reimburse the county, but in the past, this has not always played out, she said.

To remedy this issue, the Board has considered taking an upfront deposit from the developer that will cover this cost and ensure it gets paid – and not at the county's expense. Clerk Amy bishop said this deposit will help with situations when developers who begin subdivision work and incur costs choose to drop out of a project when they find out there will be more costs at the project's completion. It also will provide the developers and estimate of the full costs before the project begins, she said.

Williamson had reviewed the average subdivision costs paid by developers and said a deposit of \$2,500

will likely cover the fees of most projects. Once the projects are complete, if there are funds that have not been spent, the difference will be disbursed to the developer. In the event that a development's deposit depletes to or less than \$250, a letter will be sent and the developer will be told they need to remit another \$500 payment to the county before the project can continue.

These funds are to be paid regardless, Commissioner Payne said, but this change will just require it be paid at the start rather than at the beginning. There is no change to the fee itself, just the time at which it is collected, he said.

**MOTION: Commissioner Olsen made a motion to accept the new policy to require a \$2,500 deposit on Planning & Zoning subdivisions at the start of the project, with a caveat that an additional deposit of \$500 will be required if the developer's account depletes to \$250 or less. Additionally, any remaining funds at the end of the project will be disbursed to the developer. The motion was seconded by Commissioner Payne. The motion carried.**

#### **KELLY HEARN – REQUEST TO WAIVE PENALTY AND INTERST – ACTION ITEM**

Treasurer Tricia Poulsen said Bear Lake County resident Kelly Hearn has been working with her office to get caught up on unpaid property taxes from 2019, 2020 and 2021. Hearn said that due to personal hardship, he has been struggling to keep on top of all his expenses.

Poulsen said Hearn had recently qualified and signed up for the circuit breaker exemption for 2023, because he is a veteran and has an income low enough to meet the requirements. Hearn recently made a payment of \$799.14, which included fees and costs, toward the total amount of \$873.66 owed for 2019. Hearn came before the Board asking for the waiver of the remaining \$74.52 penalty and interest on parcel No. 00539.00. If the Board waived these fees, Hearn said he would be able to catch up on his remaining back-taxes for 2020 and 2021 in the amounts of \$745.06 and \$694.72, respectively.

Hearn said he will be able to pay the full amount to the county by November.

**MOTION: Commissioner Payne made a motion to waive the penalty and interest amount of \$74.52 for county parcel No. 00539.00, contingent upon a follow-through of Hearn's plan to pay the back-taxes for 2020 and 2021 to the county by November 2023 and with an understanding that the waived amount will be added back to Hearn's balance if the agreement is not met. The motion was seconded by Commissioner Olsen. The motion carried.**

#### **GENERAL BUSINESS**

##### **RATIFY CLAIMS**

**MOTION: Commissioner Olsen made a motion to ratify the claims before the Board. Commissioner Payne seconded the motion. The motion carried.**

##### **APPROVE MINUTES**

**MOTION: Commissioner Payne made a motion to approve the minutes for the March 13, 2023, Regular Commissioners Meeting and for the March 21, 2023, Special Commissioners Meeting. The motion received a second from Commissioner Olsen. The motion carried.**

### **COMMISSIONER MILEAGE**

The Board discussed commissioners submitting reimbursement for mileage and when that is appropriate. Commissioner Jensen said each commissioner in the past has rarely claimed mileage unless it was for a longer trip, such as to Boise. However, with out-of-county meetings becoming more and more frequent, he wondered if it would be appropriate for the commissioners to begin claiming their mileage.

County Attorney Adam McKenzie said nothing forbids the Board from adopting a general policy to allow them the leeway to claim their mileage if they choose. Commissioner Jensen said the current policy allows the commissioners to claim mileage if they so choose but does not dictate they have to make that claim.

McKenzie said there can be some concern with claiming miles locally. Short trips – those from point A to point B – can be difficult to track if personal business gets mixed in with county business. While the option of an annual or monthly per diem had been brought up, McKenzie said that presents an issue with months when the per diem mileage is not reached and other times when it is exceeded. This can open the Board up to rightful criticism from the taxpayer, he said.

McKenzie said it is his belief the current mileage claim policy in place for the commissioners is a good one. If a commissioner is on county business, and if the commissioner so chooses, mileage can be claimed – whether that business is within or outside Bear Lake County. It comes down to a personal decision each member should make for themselves, he said.

The Board chose to continue using the existing mileage policy but may discuss it more at a later date.

### **ZOOMING MEETINGS**

Since the onset of the COVID-19 pandemic, Bear Lake County has broadcast its Board of County Commissioners meetings via Zoom, Clerk Amy Bishop said. This process has worked well, allowing those who could not come to a meeting in person to still take part in it via a live video setting. This also has allowed information to be presented to the Board by individuals who are located in other counties or states.

There has been some concern with the violation of citizens' rights, Bishop said. If and when the meeting experiences technical issues, it has to be considered if a meeting needs to halt or if it can continue.

Commissioner Payne said the county needs to accommodate those appearing at the meeting the best it can. If there is a technical issue, the original meeting should be able to be continued but a special meeting can be scheduled to follow-up with those individuals who were unable to present or speak.

Zoom availability is something that has been discussed at the four-county meetings the Board attends, Commissioner Payne said. While it is not a requirement that these meetings be livestreamed, Payne said it does offer a good service to the community. That being said, many other counties in Southeast Idaho that had been using Zoom for their meetings have now phased this service out.

Commissioner Olsen said he believes the county should do what it can to keep the public as informed as possible, and offering livestreamed meetings via Zoom is another simple way to do that.

County Treasurer Tricia Poulsen said that, as an elected official, having access to a Zoom meeting allows her to return to her office and continue her regular work while simultaneously listening to the discussions going on that will impact the county.

Commissioner Jensen said because the benefits of offering Zoom streaming outweigh the drawbacks, and because the cost of the service to the county is less than \$150 annually, it would be advantageous to continue offering the Zoom access for county meetings.

The Board decided it will continue offering Zoom as an option for those who want to use it to take part in county meetings.

#### **PUBLIC COMMENT**

Bear Lake County resident Roy Bunderson of Bloomington told the Board he had been asking for more governmental transparency for the past 10 days since he first heard about an accidental firearm discharge that occurred in the Sheriff's Office. Bunderson said he had worked for years as a risk management officer and has been distraught over the lack of public statement on the issue.

Commissioner Jensen informed Bunderson that Sheriff Heslington had read a public statement about the incident earlier in the meeting, at which time Bunderson had not been present. Bunderson was then provided a written copy of the statement.

Bunderson went on to say he had contacted two county commissioners – Commissioners Jensen and Payne – and been treated very cordially. However, he said he hadn't been able to get in touch with Commissioner Olsen, who he said does not answer his calls and does not have a voicemail box set up. Commissioner Olsen said he had recently got a new number where citizens can reach him and would gladly supply that to Bunderson after the conclusion of his comments.

Additionally, Bunderson said he had tried to contact Sheriff Bart Heslington in that 10-day period but the sheriff has not returned many of his phone calls. During the brief conversation he had with Heslington, Bunderson said Heslington had alluded to a state statute requiring the sheriff and county attorney to investigate the incident and to make a report. Bunderson conceded the sheriff had corrected that statement shortly afterward, informing him this requirement is under a public policy, not a statute. Bunderson said he had requested a copy of that policy be provided to him but thus far he had not received it.

County Clerk Amy Bishop had provided Bunderson with information that he inferred to say these

matters are a personnel issue and county policy is to not release personnel details in public information requests. Bunderson claimed he did not wish to know who had been involved and had only wanted to know the circumstances.

Bunderson also said he had learned the deputy in question had returned to work, and he was concerned the county illness and accident protocol hadn't been followed. He said that policy states any employee gone for a period of three days or longer, stemming from an injury or illness, must submit to a doctor's evaluation and approval prior to returning to work.

Both Heslington and County Attorney Adam McKenzie said the employee in question had been cleared by a doctor prior to returning to light duty.

Bunderson said nearly a year ago, Heslington and his department had solicited public support and donations to help pay for law enforcement body armor to be used by the Sheriff's Office deputies. Since that time, Bunderson said he had heard no updates and wondered what the status of that project was.

Heslington said the body armor had been purchased and ordered in August 2022 and his department was waiting for its delivery from the vendor. Bunderson said he would be making a records request that shows all the funds that were taken in, what they were designated for and how they were spent.

McKenzie told Bunderson any records request needs to be submitted to the county in writing, but he will ensure that information is provided once the written request is received.

#### **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 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 mere presence of legal counsel at an executive session does not satisfy this requirement.**

**The motion was seconded by Commissioner Olsen. Roll Call Vote. Commissioner Olsen, Aye. Commissioner Jensen, Aye. Commissioner Payne, Aye.**

The Board entered executive session at 12:00 p.m. and left executive session at 12:50 p.m.

From 12:07 p.m. to 12:39 p.m. the Board discussed evaluation and disciplining of an employee.

From 12:39 p.m. to 12:47 p.m. the Board discussed potential legal matters.

From 12:47 p.m. to 12:50 p.m. the Board discussed records exempt from public disclosure.

Following a brief lunch, the Board reconvened its public session at 12:57 p.m.

## **INDIGENT CASE ASSIGNMENTS – ACTION ITEMS**

Clerk Amy Bishop said as the county's indigent program is phasing out, no future cases will go forward due to Idaho's Medicaid expansion. The existing cases will continue, but the state currently is auditing these cases to ensure the necessary processes are in order. The Idaho Catastrophic Fund, known as the CAT Board, will not collect money going forward. However, in its audit of Bear Lake County's indigent cases, the state found a handful of cases in which the appropriate portion of money had not been assigned to CAT.

Because of this error, Bishop said the Board of County Commissioners needed to approve the assignments for the following CAT numbers: 2B-2010-00001, 2B-2010-00003, 2B-2010-00004, 2B-2010-00005, 2B-2011-00001, 2B-2011-00003, 2B-2011-00005, 2B-2011-00006, 2B-2011-00007, 2B-2011-00008, 2B-2012-00001, 2B-2012-00002, 2B-2012-00003, 2B-2015-00001, 2B-2017-00006, 2B-2019-00002 and 2B-2020-00001.

**MOTION:** Commissioner Payne made a motion to approve the assignments for CAT cases 2B-2010-00001, 2B-2010-00003, 2B-2010-00004, 2B-2010-00005, 2B-2011-00001, 2B-2011-00003, 2B-2011-00005, 2B-2011-00006, 2B-2011-00007, 2B-2011-00008, 2B-2012-00001, 2B-2012-00002, 2B-2012-00003, 2B-2015-00001, 2B-2017-00006, 2B-2019-00002 and 2B-2020-00001. The motion was seconded by Commissioner Olsen. The motion carried.

## **SHORT TERM RENTALS**

Commissioner Olsen said he had met with representatives from other Southeastern Idaho counties to discuss how they handle short-term rentals in their areas. He found Caribou County has adopted a short-term rental policy to help give those types of property rentals some guidelines while also supplying Caribou County with a way to take control of the growing issue.

Caribou County requires each rental has to register with and receive a permit from the county before it can begin rental occupations. That county establishes occupancy limits that are limited by the number of bathrooms in the home, Commissioner Olsen said. Each bathroom allows for four occupants within the home. Of course, Commissioner Olsen said, Bear Lake County has other points it has to consider – including recognizing parking areas and keeping parking out of the county right-of-way without creating a hazard.

Commissioner Olsen said Bear Lake County can get a copy of the Caribou County policy to determine what material in it will work for local needs and what needs to be amended to better fit Bear Lake County's needs. Also, state laws for short-term rentals differ between Idaho and Utah, with Utah being able to tax those rentals at a higher rate than Idaho can, he said.

County Attorney Adam McKenzie said each of the county's townships will need to make their own policies for handling short-term rentals, but they will have the option to adopt any policy the county moves forward with. The county then needs to determine who is in charge of enforcement and permitting.



Commissioner Olsen said Caribou County's policy provides its Planning & Zoning administrator and building inspector are responsible for enforcement. Additionally, he thinks the policy should require rental owners to provide some sort of pamphlet or printout that supplies renters with the property address, county emergency contact numbers, the contact information for the local caretaker and other important information.

Commissioner Payne recommended Commissioner Olsen draft a policy that fits Bear Lake County's needs and removes any Caribou County-pertinent language.

Bear Lake County Planning & Zoning Administrator Mitch Poulsen said he liked Caribou County's idea to limit the number of occupants per bathroom in the residence, but if Bear Lake County chooses to implement that policy it will have to examine its application to homes in the different areas of the county. For instance, Poulsen said, there are some homes in Fish Haven that have 10 bathrooms apiece. That policy would allow as many as 40 occupants to be in that rental home at a time – likely a violation of fire code or other conflicting statutes.

Commissioner Olsen said he will refer the Caribou County policy to Poulsen so he and the Planning & Zoning Board can review it and see what needs to be altered in order to fit Bear Lake County. He requested this issue be tabled until the next Regular Commissioners Meeting, to be held May 8.

#### **PAUL CHRISTIANSEN – ACTIVE SHOOTER COMMITTEE / COMMUNITY ACTIVE SHOOTER FORUM**

Deputy Clerk Paul Christiansen reported the Bear Lake Active Shooter Response Preparation Committee had held a meeting on Tuesday, April 4, and it had been attended by representatives from nearly all of the county's and Montpelier City's emergency response and preparation agencies, as well as representatives from other local agencies that will likely be involved if and when there ever is an active shooter event in Bear Lake County – including the Idaho Transportation Department and Bear Lake County Road and Bridge Department.

At the Board's meeting on March 13, Bear Lake County Deputy Sheriff Tye Graham and Christiansen presented the committee's plan to hold a public Civilian Response to Active Shooter Event (CRASE) forum as a means to educate the community of what the emergency response agencies throughout the county are training for and why that training is essential. Christiansen said this forum also will serve as a way for the public to learn how to respond should they ever be involved in an active shooter situation.

At the March 13 meeting the Board had given the committee their support and permission to schedule the CRASE forum. Christiansen reported on April 10 the committee has worked with the Bear Lake School District to schedule the forum for 12 p.m. on Saturday, April 29, and it will take place at the Bear Lake Middle School Auditorium. The forum – which will be led by Graham – will run roughly 3.5 hours, with a question-and-answer session to follow afterward.

The CRASE forum will help educate the attending public about the committee's scheduled live active shooter response training, which will be held from 9 a.m. to 11 a.m. on Saturday, May 13, at Bear Lake High School and will involve all Bear Lake County and Montpelier City emergency response agencies. An

event debriefing will follow from 11 a.m. to 12 p.m.

Christiansen said each of the main three response agencies – law enforcement, ambulance service and fire departments – had elected to bring in evaluators from outside the county to offer response and constructive criticism to their individual agencies. Christiansen said the committee encouraged at least one Commissioner to attend and observe the active training day as well, but would welcome all of them. He said their ideas and feedback as administrators would be greatly appreciated for his own evaluation.

All three Commissioners expressed interest in attending May 13. Clerk Amy Bishop asked the Commissioners to let her office know who will be attending in advance so proper public notice can be posted.

#### **LETTER TO DEPARTMENT OF LANDS REGARDING MOU**

County Attorney Adam McKenzie reported he has been working with the Idaho Department of Lands to draft a memorandum of understanding (MOU) regarding the rules that govern Bear Lake, and in particular everything below the high-water mark that falls under state lands. McKenzie provided a draft letter to the commissioners, which indicated the county's support for adopting an MOU.

McKenzie said specific terms of the MOU still are being worked out, but the statement within the letter specifies Bear Lake County is in support of working with the Idaho Department of Lands to set those specific terms and move forward. He said the target date for completion of this MOU had been May 15, but due to conflict at the state level that date may be pushed back. Both parties are working to get this process completed and into motion as soon as possible, he said.

**MOTION: Commissioner Payne made a motion to sign and send the letter to the Idaho Department of Lands, indicating Bear Lake County's support with moving forward with a memorandum of understanding. The motion received a second from Commissioner Olsen. The motion carried.**

#### **ROY BUNDERSON – INCLEMENT WEATHER DISASTER DECLARATION – ACTION ITEM**

Roy Bunderson said he had been asked to represent the Farm Service Agency and come before the Board to request it declare a disaster due to the negative impact of winter weather conditions throughout Bear Lake County.

Bunderson said farmers and ranchers throughout Bear Lake County have had their livestock and operations put at risk due to building and animal loss, due to snow collapses and death, respectively. If the county declares a disaster, eventually it runs up the ladder to the governor's office for ratification. It will then be routed to the Federal Emergency Management Agency and the United States Department of Agriculture's Farm Service Agency and insurance providers. Those agencies will provide some sort of economic relief and support – be it low-interest loans, grants or disaster payments – but it all is contingent on the county's disaster declaration. Without that first, Bunderson said, the local population will not be eligible for those benefits.

Commissioner Payne observed Bear Lake County has fallen under conflicting circumstances the past few

years. Last year, the County declared a disaster due to drought. This year, it will likely declare a disaster due to too much water and snow, he said.

Unless there is a severe change in the next 10 days, the Grace area – located in neighboring Caribou County – may be unable to plant a potato crop this year due to the heavy snowfall this winter and the poor planting conditions that have resulted from it, Bunderson said.

**MOTION: Commissioner Olsen made a motion to accept and declare an inclement weather disaster for Bear Lake County. The motion was seconded by Commissioner Payne. The motion carried.**

#### **QUIN POPE – CATERING PERMIT FOR THE MULEY FANATIC FOUNDATION**

Quin Pope, the proprietor of the Clover Creek Inn Sports Bar, came before the Board to request approval of a special use liquor catering permit for May 19 and May 20, as part of the Muley Fanatic Foundation fundraiser event.

Pope said the Clover Creek Sports Bar has for the past few years received this type of permit for these fundraisers and has helped to raise money that goes directly to benefiting the local deer population. In 2022, the Muley Fanatic Foundation was able to gross about \$80,000, with a net profit of about \$50,000. This year's event is raising money to help buy a trailer to be used in the replanting efforts of sagebrush and bitterbrush. The organization also is looking at some proposals for automated feeds to be put in the East Shore Road area, he said.

Sheriff Bart Heslinton told the Board there have been no problems from these events in the past, and by all indications it appears these Muley Fanatic Foundation events are well managed and do a lot of good.

This year's event will be held at the Crane Multiplex on May 20. This location already has been cleared with the Bear Lake County Fair Board, and alternate locations have been planned for in the event that weather conditions prevent the multiplex from being used, Pope said. Liquor will not be on the premises on May 19, but he said he was requesting the permit begin at 12 p.m. on May 19 and end at 11:59 p.m. on May 20. This period of time will allow all the necessary preparation, setup and takedown at the event, he said.

**MOTION: Commissioner Payne made a motion to approve the special use liquor catering permit for the Clover Creek Sports Bar to be used for the Muley Fanatic Foundation fundraiser on May 19 and May 20. The motion received a second from Commissioner Olsen. The motion carried.**

#### **QUIN POPE AND SHANE JOHNSON – PARKS AND REC PROGRAM**

Montpelier City Councilmembers Quin Pope and Shane Johnson said they had discussed the Montpelier Parks and Recreation Program at the council's last meeting. Johnson said he had been one of the founders of the program 17 years ago and had been involved with it every year since. The program has a profound economic impact on the county as a whole and provides a bevy of local benefits, Johnson said.

The program's baseball tournaments alone bring an annual average of 7,000 people to the community,

with about 1,700 kids playing in the tournament each year. Local businesses throughout the county report their busiest days are during those tournaments, Johnson said. For several years, the Bear Lake County Fair Board has helped provide parking and camping accommodations for those players and their families.

The Montpelier Parks and Recreation Program last year saw registrations from about 650 local youth, with about 60 percent of those from Montpelier itself and 40 percent from throughout Bear Lake County. Going forward into budgeting for 2024, Johnson and Pope wondered if Bear Lake County is willing to be a part of the Montpelier Parks and Recreation Program and help contribute funding to the budget, to either go toward the Parks and Recreation Director's salary or equipment to be used by participants.

Commissioner Payne suggested Pope and Johnson provide to the Board of County Commissioners a budget recommendation to be discussed when the Board discusses the county budget for Fiscal Year 2024. Clerk Amy Bishop asked Johnson and Pope to get that proposal to her by May 15.

Johnson and Pope said they would get that information to Bishop before May 15 and asked to come back at the Board's June 12 meeting for further discussion.

#### **TONY PRICE – GEORGETOWN CANYON ROAD MAINTENANCE**

Tony Price of Georgetown came before the Board to represent a group of Georgetown citizens who are concerned about the unloading areas for snowmobiles in Georgetown Canyon and throughout the entire Bear Lake Valley. These concerns include designated snowmobile parking lots not being plowed and narrow canyon roadways. The group wonders if the county can do anything to maintain those areas better, Price said.

Commissioner Jensen said he sympathizes with the group's concerns but also said this has been one of the hardest years the county has had for snow conditions. Because of that, the county road crews have been difficulty keeping up with the weather in order to keep the roads maintained. Additionally, the Road and Bridge Department always makes school routes the first priority, with common routes for workers a secondary concern. There have been times when it was difficult for the department to keep up with those needs, he said.

The Road and Bridge Department started 2023 off short staffed and in need of three new workers. Additionally, the department has a grater that is out of commission and the needed replacement parts cannot be procured due to supply chain issues, Commissioner Olsen added.

County Superintendent Todd Boehme said the Road and Bridge Department is waiting for three graters on order now, but those aren't expected to be available until July. In spite of the equipment and staffing issues, Boehme said Road and Bridge has done the best it can to keep all roadways cleared.

The United States Forest Service has discussed and is actively discussing moving the Georgetown Canyon turnout higher up the canyon road to the forest line, where the road is wider and can more easily be maintained, Boehme said.

Price said that in addition to poorly maintained roadways and turnouts, individuals are parking machinery and trucks in those areas overnight. This causes additional issues and limits what parking there is.

County Attorney Adam McKenzie said, as a rule, parking alongside roadways and overnight parking are regulated by ordinance or statute. If there is not an ordinance in place to prevent those things, simply drafting one that states there will no overnight parking permitted in those designated areas could be a simple way to help mitigate the issue. Penalties, such as towing and fines, can be added into the language of the ordinance. There may even be an ordinance in place, McKenzie said, adding that he would have to check on it to confirm.

Commissioner Payne said it would be beneficial to post snow removal hours in those areas that state the hours in which no vehicles can be parked. This action could allow the Road and Bridge Department to plow those areas when they would be assured no one would be there to prevent their work.

The tri-county snowmobile trail groomers in the past have pushed the snow to the edges – and sometimes beyond – of the parking and turnaround areas, but that hasn't been the case this winter, Price said, adding that he was unsure if they are unable to do so anymore due to county policy or if they just are not providing the service anymore.

Commissioner Jensen said he will bring the issue up with the tri-county grooming committee. Additionally, he said, the county will look into the group's complaint and examine options to either relocate or expand the lots.

#### **SHERIFF BART HESLINGTON – PHONE SYSTEM, CONTINUED**

Sheriff Bart Heslington said that during the course of the meeting he had been contacted by RyTel and the company had supplied him with a proposal for replacement of the Bear Lake County Courthouse phone system.

RyTel had supplied two proposal options. The first provides the county the option to pay a monthly recurring rental fee for the 34 phone units themselves at a monthly cost of \$204.00. The second option gives the county the option to buy the phone units outright for \$5,780.

Heslington said that if the county opts to rent, it will pay a significant amount more over time than if the phones were purchased outright. There will be a five-year warranty for the phones if they are purchased, whereas RyTel will service and replace the units under a rental agreement.

The capabilities of the RyTel system are very modern and impressive compared to the county's current Solacom phone system, he said. The Rytel system also will run to the building via a completely fiber optic line, whereas the Solacom system transitions from copper to fiber line – something that is believed to be contributing to the issues the courthouse has experienced.

Clerk Amy Bishop said she believed the county would do better buying the phones outright from RyTel.

She said the county has access to money provided through the Local Assistance and Tribal Consistency Fund (LETCF) that can be used this year. The county can then budget for ongoing costs – which will be reduced if the county buys rather than rents – going forward.

**MOTION: Commissioner Olsen made a motion to enter into an agreement with RyTel for a new phone system, with the phone units being purchased outright using LETCF funds for this year's costs, subject to review of the contract by the county attorney. The motion received a second from Commissioner Payne. The motion carried.**

#### **BRANDEE WELLS – BEAR LAKE SOIL & WATER CONSERVATION DISTRICT UPDATE**

Brandee Wells, the Bear Lake Soil & Water Conservation District Manager of Operations, met with the Board to provide a short update on the district. She said the county had reached 140 percent of its average annual precipitation so far in 2023.

Wells said she has ordered 4,000 load bags to be used by participants in the district's 2023 Dyer's Wood noxious weed gathering program, which takes place locally each summer.

The Soil & Water Conservation District was taking orders for trees through the end of the week as part of its annual sale of trees and shrubberies, she said. This year's ordering has received a good local response, and all the profits go toward scholarships.

The district held its 6<sup>th</sup> grade school day and taught 98 local children about local wildlife through hands-on and visual presentations using animal pelts, scat and footprints. The presenters also had discussed how water impacts everybody – putting an emphasis on how households affect the local water system and others in our community.

Wells said her department has eight grants running concurrently to help landowners. She also will be applying for five additional grants this year and has already received unused funding through two others. Come June and July, the district will have 10 active grants helping between 20 and 25 landowners. The additional five grants, if they are received, will provide assistance to 12 to 15 landowners, she said.

The Soil & Water Conservation District will hold meetings at the National Oregon/California Trail Center from April 24 to April 27 to discuss the ongoing Bear River Basin water adjudication process that is being conducted by the Idaho Department of Water Resources. These meetings are intended to help educate the public and help answer any questions they might have about the adjudication, Wells said.

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

The meeting adjourned at 2:55 p.m.



*Bradley D. Jensen*

Bradley D. Jensen, Chairman

*5-8-2023*

Date Approved

ATTEST:

*Amy Bishop*

Amy Bishop, Clerk

