

BEAR LAKE COUNTY COMMISSIONERS' MEETING

FEBRUARY 14, 2022

COMMISSIONERS' CHAMBERS – PARIS, IDAHO

The Board of Bear Lake County Commissioners met in their regular meeting on Monday, February 14, 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, Bradley D. Jensen, Rex L. Payne. Clerk of the Board, Cindy Garner, was excused. Chief Deputy Clerk, Amy Bishop, was present to act in Garner's place.

APPROVE AGENDA – ACTION ITEM

MOTION: Commissioner Payne made a motion to accept the agenda. The motion was seconded by Commissioner Jensen. The motion carried.

ELECTED OFFICIALS UPDATES/COMMITTEE ASSIGNMENTS

Commissioner Payne gave an update on the airport. They are working on hangars. They had reviewed statute, and determined that law allows for long-term leases on the airport, as applies to hangar rentals. The airport survey is now complete. The airport has also received several grants, which TO Engineers will review later in the meeting. Payne also reported that Ed Preston, Montpelier Fire Chief, had spoken with Payne regarding radios. The need to have more meetings to discuss what direction to take with radios going forward. Commissioner Rasmussen indicated that the EMTs have also been inquiring about plans for radios.

Treasurer Tricia Poulsen, handed out a summary of all cancelled tax, due to the effects of house bill 562. The total tax dollars cancelled so far has been \$25,462, on \$3,688,230 worth of value. IAC will be presenting information from all counties on these tax cancellations to the legislature to demonstrate the fiscal impact this bill has had on counties and taxing districts. Poulsen then presented tax cancellations for the month.

MOTION: Commissioner Jensen made a motion to cancel tax on parcels 0452.00 0305.00 and 2625.05. The motion was seconded by Commissioner Payne. The motion carried. The total tax cancelled was \$1127.81

Assessor Heber Dunford presented a report. DMV revenues are down about \$25,000 from the prior month, but Parks and Rec revenues are up. The county received \$307.50 in reimbursements from ITD for online and mail in registrations. The impact from ITD's new program could be up to \$7300. The ITD technology plan will change renewals, and impact busy items. Mapping is getting caught up. They had their annual training at winter school. BOE training is coming up. He has included a copy of the 5-year reappraisal plan. The state is reviewing the plan. There will be a large budget increase to complete the plan as presented. He may be able to shift some of the work to the DMV clerks, whose time should be freed up by the ITD changes. The county's ratio study is out of compliance. Assessment levels are not in compliance, and some categories will see increases in values again this year. Operating properties are saying that counties need to stay at value to keep their share proportionate.

Treasurer Poulsen also discusses the LGIP account. DL Evans will be dropping the interest charged for the irrigation districts to 2.5%. The commissioners are in support. The treasurer will sign the contract.

Sheriff Bart Heslington presented his report. He is having ongoing discussions with the jail, because they have had some medical concerns to be addressed with prisoners. They are trying to minimize cost by trying to get procedures done locally instead of out of area. The state is not transporting any inmates and is housing them here instead, so it impacts bed space available to us. The Sheriff has also been contacted by a person interested in working as an intern on GIS mapping, and he is working to put together a plan to utilize her. She will mostly work remotely for now, and in summer can work on-site. Also, a semi-truck recently overturned on Highway 30. It was transporting a windmill blade. It took one day to manage the event and open the road, and another day to remove. He thanked the transport company NextGen, Bear Lake Fire, Bear Lake Ambulance, ITD, WY DOT. Efforts had to be coordinated between all these entities. They had to close Highway 30 for a short time when removing the blade, but it was done very quickly. The commissioners thanked him for his efforts.

Commissioner Rasmussen reported on a meeting by the Juvenile Detention Board. They are discussing adjusting rates. In the last 10 years, we were not paying a large enough share. The new plan will average the counties' last 10 years usage. The budget for the coming year will be projection on that. It should help flatten out budget fluctuations. He also attended a State Fair Board meeting. They approved their budget, and Rasmussen was able to ask some questions. The State Fair Board's new Chairman is Commissioner Swainston from Franklin County. Rasmussen also noted that county employees need to use caution, as many counties are having lots of problems being targeted with malware. ICRMP is seeing a lot of claims for malware related problems. Supervisors need to make sure employees are completing the provided computer security training. Rasmussen attended a Health Board meeting last Thursday. Covid cases peaked about a week ago, but are still really high, with easy transmission. He also reported that Gem plan should have budget numbers out in April. Rasmussen reported on Legislative meetings held the first week of February in Boise. They attended a two hour training on executive sessions. The Association of Counties will come down and provide training to boards if requested.

RATIFY CLAIMS

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

APPROVE MINUTES

MOTION: Commissioner Jensen made a motion to approve the Minutes from Jan 10th. The motion was seconded by Commissioner Payne. The motion carried.

HAY BID NOTICES

Commissioner Payne read a proposed notice to advertise for hay bids prepared by the clerk. Sealed bids will be accepted until 5:00 P.M., Friday, March 11, 2022, for hay grown on County property designated as Parcel 'C'. Bids will be opened at the April Commissioners Meeting.

MOTION: Commissioner Payne made a motion advertise the Hay Bid Notice. The motion was seconded by Commissioner Jensen. The motion carried.

FAIR BOARD MEMBER APPOINTMENTS

Commissioner Payne reported that three fair board members terms had expired: Jennifer Keetch; Glen Williamson; and Shannon Heslington.

MOTION: Commissioner Payne made a motion to Re-appoint Shannon Heslington and to appoint Kevin Wells, Lisa Transtrum to the Fair Board. The motion was seconded by Commissioner Jensen. The motion carried.

DESIGNATE POLLING PLACES

Deputy Clerk Bishop presented polling places for the March Election. The election only affects school district #150. Polling for Bailey Creek precinct will be done by mail, with absentees at the courthouse.

MOTION: Commissioner Payne made a motion to designate the polling places for the March election as presented. The motion was seconded by Commissioner Jensen. The motion carried.

CERTIFICATE OF RESIDENCY

The county received one Certificate of Residency for Shelby Higgins.

MOTION: Commissioner Jensen made a motion approve the Certificate of Residency. The motion was seconded by Commissioner Payne. The motion carried.

M2 AUTOMATION

Sheriff Heslington reviewed the need for a security/panic button system to install in the courthouse. He has been working with M2 automation, who can provide panic buttons as well as cameras for interviews, but does not have a complete cost proposal yet. The commissioners will wait to take action until they have a complete cost proposal.

SHERIFF'S OFFICE ANNUAL AGREEMENT WITH FOREST SERVICE

Heslington reviewed how the Sherriff's Department has historically contracted annually with the Forest Service to provide law enforcement service on Forest service ground. He presented a renewal agreement for these services.

SHERIFF OFFICE AGREEMENT WITH PAYPORT

MOTION: Commissioner Jensen made a motion approve the Sheriff's Office Annual Agreement with the Forest Service. The motion was seconded by Commissioner Payne. The motion carried.

Next the sheriff reviewed the contract with the credit card payments provider used for the office to receive payments for drivers' licenses, etc. They may be switching providers in the future, since the treasurer is working on integrating with Certified Payments. They are working on testing, but need to work with Payport for the time being.

MOTION: Commissioner Jensen made a motion approve the Sheriff's Office Agreement with Payport. The motion was seconded by Commissioner Payne. The motion carried.

KELLER AND ASSOCIATES COST PROPOSAL FOR REVIEW OF PLANNING AND ZONING UPDATES

Planning and zoning has asked Keller and Associates as our engineer to assist in reviewing our subdivision ordinance requirements, and we need to have cost agreement in place. Commissioner Rasmussen asked Commissioner Jensen to be involved in the process. Jeff with Keller and Associates reviewed the proposed agreement.

MOTION: Commissioner Jensen made a motion approve the task order and cost proposal for review of planning and zoning updates. The motion was seconded by Commissioner Payne. The motion carried.

The clerk's office reported on new employees, plans for the retirement of Clerk Garner and Court Deputy Karen Volbrecht, and proposed legislation that may affect the clerks'.

WAYNE DAVIDSON - BUILDING INSPECTOR REPORT

Building Inspector Wayne Davidson gave his report. Building is starting to pick up. He has issued 13 permits so far this year, with 3 new residences. He has also been helping with some repairs in the Allred Center. Wayne met with representatives from Pictometry this last week, so we can begin budgeting for 2023. Some jurisdictions are using ARPA funds for fly overs. The next fly over will cost about \$100,000. He presented a chart showing who uses Pictometry the most, and some information about using ARPA for general government use and Emergency operations. Wednesday there is a training on the final rule.

BOARD OF EQUALIZATION

APPLICATIONS FOR PROPERTY TAX EXEMPTION- ACTION ITEM

The commissioners left their regular meeting and went in to Board of Equalization. Jorge Garcia, CEO of Bear Lake Community Health Center appeared, seeking a property tax exemption, for the community health center building. The health center is government funded, and offers behavioral health, medical, and dental services. They have two nurse practitioners, a dentist, and a pharmacy, and are expanding their dental service. They had 1800 patient visits last year. They collaborate with Bear Lake Memorial Hospital, have met with the hospital administrator, and are trying to increase community interaction. They are requesting property tax exemption, applying under 63-602C Fraternal, benevolent, or Charitable Societies. Prosecuting Attorney reviewed some case law that covers other health organizations. The commissioners will put the item on the BOE agenda for March.

Deputy clerk Bishop also presented an application for exemption from the IDAWY Solid Waste District. The Assessor's office had not exempted the district, because they stated did not have enough information to determine the district's status.

MOTION: Commissioner Jensen made a motion to determine IDAWY should be considered exempt. The motion was seconded by Commissioner Payne. The motion carried.

The commissioners left Board of Equalization and went back into their regular meeting.

JAYSON LOWER – IDAWY UPDATE

Jayson Lower with IDAWY Solid Waste District spoke. He thanked Cindy Garner for a great working relationship. He reported to the commissioners that the district's budget is in great shape. To date they have expended 35% of the annual budget. They have processed 15,000 tons of waste. Major changes are underway at the landfill and he is pleased with what's happening. Dirt work is being completed and they are getting ready to build the transfer station. Their top complaint has been the landfill's hours. They will be changing the hours, and, starting March 7, will now be open 7:30- to 5:00 pm, six days a week. Lower is a bit concerned about rising fuel prices, but things going well so far. The new landfill to be built in 2023 is on schedule.

MARTHA BOLAN – PROPERTY OWNERSHIP OF VACATED COUNTY ROAD AREA BORDERING SOUTH SIDE BLOCK 1, WARDBORO TOWNSHIP – ACTION ITEM

Martha Bolan, discussed an issue with the ownership of an area of the Vacated County Road bordering the South side of Block 1 in Wardboro Township. When the county vacated the road, the assessor's office determined that ownership of half of the vacated area, bordering the county road should go to the county. Bolan is requesting we deed this small sliver to their family, because their driveway is within the section.

MOTION: Commissioner Payne made a motion to conform with the intent and findings of Resolution 2020-03 and to sign a quit claim deed to Lyman Kunz Family Living Trust for the property in question. The motion was seconded by Commissioner Jensen. The motion carried.

INTRODUCE NEW EDUCATOR

Kord Kilpack is our new County Agent with University of Idaho Extension. He grew up ranches in Nebraska, Texas, and Nevada, and was managing a ranch in Star Valley before accepting the position with the county. He is glad to be here. He stated that the extension office staff has been great to work with. The department needs a vehicle that can pull a trailer. The commissioners are supportive of the 4H program in the area, and are pleased the many local children are participating.

COUNTY SUPERINTENDENT REPORT

Scott Esquibel, County Superintendent, presented his monthly report. He also presented a contract for radios. The commissioners are working to get radios working together with all agencies. Esquibel is working with Keller Engineers for a FLAP grant application for second half of Dingle east Shore Road. He also stated the county needs to come to a resolution with US Fish and Wildlife on wetlands issues. Rasmussen stated we may need to approach our congressmen for assistance.

Esquibel met with PacifiCorp engineering to review restrictions on camp Stewart bridge. Only cars and pickup will be allowed to pass on the bridge. PacifiCorp is working with Road and Bridge on signage. Road and Bridge is working with the farmers to let them know of the changes. The commissioners heard in Boise, the state will have additional bridge repair money available.

Esquibel stated that oil prices for chip sealing are almost double of last year. They may not be able to chip seal as much as planned.

PUBLIC COMMENTS

Jean Alleman, with the Senior Center reported that they have reorganized their board, and Richard Yeoman is now president. She stated they had lost the business of the quilting guild for building rental, due to an issue with lighting in the parking area. Vaughn will follow up with the hospital board.

EXECUTIVE SESSION – IDAHO CODE 74-206 (1)

MOTION: Commissioner Payne made a motion to leave the regular meeting and go into an executive session pursuant to Idaho Code #74-206 (1)

(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent, or public-school student.

(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement;

seconded by Commissioner Jensen.

Roll Call Vote: Commissioner Jensen – ‘I’, Commissioner Payne – ‘I’, Commissioner Rasmussen – ‘I’, voting was unanimous in the affirmative.

11:44:30 AM

The board entered executive session at 11:44 p.m and board was out of executive and back to their regular meeting at 12:26 p.m.

Business for the regular meeting resumed at 12:29 p.m.

MITCH POULSEN – PLANNING AND ZONING ADMINISTRATOR

WILLIAM WELLISCH – REZONE RECOMMEND- ACTION ITEM

Mitch Poulsen presented information on the William Wellisch Rezone requested. The road into the subject property road may be as narrow as 13 feet. P&Z denied the rezone based on road width. If the road is brought up to standard, the applicant can re-apply.

MOTION: Commissioner Jensen made a motion to follow recommendation from P&Z and deny the rezone for William Wellish. The motion was seconded by Commissioner Payne. The motion carried.

JARED NORTON – TO ENGINEERS

SNOW REMOVAL EQUIPMENT GRANT APPLICATION AND AGREEMENT – ACTION ITEM AMENDMENT FOR SRE BUILDING CONTRACT AND APPLICATION FOR CONSTRUCTION OF BUILDING – ACTION ITEM

Jared Norton with TO Engineers presented the amendment for the SRE Building Contract. The amendment is to re-do the grant application and re-bid the project for the Snow Removal Equipment building. We did not get any bids last year, but he hopes to get bids and better prices this year. Then grant application needs to be signed, then bids will be advertised. After the bids are open, the FAA will make the grant offer based on the recommendation of award. The county has grant funds available to them from non-primary entitlement funds, BIL (Bi-Partisan Infrastructure Law) funds, and \$250,000 in state apportionment funding, totaling about \$750,000 in federal funds available. They are hopeful that we can get good prices on the building so we can also acquire the plow truck for snow removal.

MOTION: Commissioner Payne made a motion to sign Snow Removal Equipment Building amendment and grant application and agreement. The motion was seconded by Commissioner Jensen. The motion carried.

MOTION: Commissioner Payne made a motion to sign Snow removal equipment grant application and agreement. The motion was seconded by Commissioner Jensen. The motion carried.

Board member Danny McClendon was also on the call and expressed his appreciation.

Commissioner Rasmussen noted that the cost for the M2 proposal is \$1194 per year for 5 years.

MEGAN BEARD - LOT SPLIT APPLICATION – ACTION ITEM

Megan Beard appeared to discuss her lot-split application. The split is connected to the re-zone presented earlier for Wellish. Beards will purchase 10 acres from the Wellishs. They have some questions about the planning and zoning's determination on the road. It is a county road, and their decision was made based on a pictometry measurement. Beard stated there is more room between fences 30 feet. William Wellish stated there is an existing foundation and septic tank with a final inspection from 2006, and the building permit did not expire at that time, so it is still valid. The permit at that time was for a second residence on Wellish's property and did not require a split.

The ordinance requires 18 feet of travel surface, with a 60 ft right of way for a place to push snow. The commissioners will review and go see road. Then make a decision.

EMERGENCY SERVICES COORDINATOR –ACTION ITEM

The commissioners presented a plaque to recognize Alan Eborn for his years of service to Bear Lake County.

Commissioner Rasmussen noted that PacifiCorp looking at power storage plant on the East side of Bear Lake. They have permission to do a study, which will probably take 10-15 years.

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

Meeting adjourned at 1:52 p.m.

VAUGHN N. RASMUSSEN, Chairman

Date Approved

ATTEST: _____

Amy Bishop, Clerk