

## BEAR LAKE COUNTY COMMISSIONERS' MEETING

APRIL 8, 2019

### SCHOOL DISTRICT #33 BOARD ROOM

The Board of Bear Lake County Commissioners met in their regular meeting on Monday, April 8, 2019 at 9:00 a.m. in the School District #33 Board Room in Paris, Idaho. Members present were Commissioners Vaughn N. Rasmussen, Chairman, Bradley D. Jensen, Rex L. Payne and Clerk of the Board, Cindy Garner.

Others attending were Treasurer Tricia Poulsen, Sheriff Bart Heslington, Prosecutor Adam McKenzie, Assessor Heber Dunford, Building Inspector Wayne Davidson, Superintendent Scott Esquibel, Pamela Harmon, Reporter for The News-Examiner, citizens Jean Alleman and Robyn Owsley.

#### APPROVE AGENDA

**Commissioner Payne made a motion to approve the agenda as posted, seconded by Commissioner Jensen, motion carried.**

#### ELECTED OFFICIALS MEETING/COMMITTEE ASSIGNMENTS

Treasurer Tricia Poulsen presented some mineral taxes that were taken for tax deed last year in June, it did not get changed in the Assessor's record, so they need to be cancelled. **Commissioner Jensen made a motion to cancel mineral taxes on Parcel #'s 5052.02, 4853.01, 4829.01 and 4845.01, seconded by Commissioner Payne, motion carried.**

Sheriff Bart Heslington presented his monthly report and wanted to commend his staff as they have been very busy with investigations. They have a number of cases that have resulted in arrests, still doing search warrants and will have extensive court work. Deputy Matt Kunz will soon complete the academy and has done very well. Deputy Ryan Larsen will go to the academy soon, working on Deputy Dave Lindsay getting there also. The new dispatcher who is doing a fabulous job and will have another opening in June, so hope to start training in preparation for that transaction. Commissioner Payne stated it had been brought up at the Four-County meeting recently about the deputies going to the academy and coming back with a lot of comp time. Sheriff Heslington has worked the figures and is paying out as he goes.

#### CAD/911 CONTRACT

Sheriff Heslington presented the CAD (Computer Aided Dispatch) quote from Spillman and had looked at several others. They did get grant funding for a large portion of the system. It actively tracks the officers for the dispatch which is very helpful. This is a shared agency license between Bear Lake County and Caribou County and need to have a server, which Caribou County does have one and it makes it more affordable. The quote covers the first three (3) years of the maintenance. The databased system is shared so Caribou and any others with that system can share information which is very beneficial for contacts and reports. Heslington would like to acknowledge and thank Alan Eborn with Emergency Operations and Homeland Security that have contributed some of the funds. Commissioner Payne mentioned the plan is to bring over the current generator, then in a couple of years get one that will take care of the whole building. **Commissioner Jensen made a motion to accept the Spillman quote,**

**purchase agreement, for the CAD system for the dispatch office, with an opt out clause at any time, to give them notice of 90 days, seconded by Commissioner Payne, motion carried.**

#### FOREST SERVICE ANNUAL CONTRACT

Sheriff Heslington also presented the Forest Service Annual Contract, the Search and Rescue team works well in that service of checking the campgrounds twice a week and holidays. **Commissioner Payne made a motion to accept the Law Enforcement Annual Operating Plan, seconded by Commissioner Jensen, motion carried.** Commissioners asked the Sheriff to thank the Search and Rescue for what they do.

Assessor Heber Dunford stated they were working on certifying the values and updating appraisals. They have had lots of phone calls and out of 210 calls, forty percent were for motor vehicle, twenty-six percent were assessments, twenty percent were deeds and maps and the other fourteen percent were for circuit breaker. Commissioner Rasmussen mentioned a letter from the Idaho State Tax Commissioner regarding compliance of Agricultural land assessed values and it seems they are in compliance for the 2019 requirements. Commissioner Rasmussen suggested they get out and take pictures right now to show what it looks like in Bear Lake County verses the Magic Valley who are already farming. Dunford mentioned the office would be closed on April 24th for a change in their computer system, Commissioner Rasmussen suggested he get notice out in the paper, on the radio and website to help the public be aware of that closure.

#### WAYNE DAVIDSON – BUILDING INSPECTOR REPORT

Building Inspector Wayne Davidson presented his monthly report and building is starting up more. Concrete contractors are already booked up for two (2) months. Davidson mentioned working with Bloomington City on the HVAC inspections, so it will be put on the May agenda. Davidson appreciated all the work the Road and Bridge crew were doing in preparation for construction of the new courthouse. He also stated the City of Paris has worked well together to clean up some of the trees for their use, which helps out the county. Per Prosecutor McKenzie's review, it would be ok to send out informal requests to have the stumps dug out and removed, they have four (4) they will send to. DCDI will be there when they dig to assist in locating any communication lines. They will have a saw to cut roots if needed. Ryan Judd, Superintendent for Big D, is moving into the Paris hotel and will be on site as the construction moves forward. Davidson stated they would need an engineer for civil work to test compaction under the footings and the floor. Davidson will get informal requests sent out for the engineering. Davidson asked about the old Durango he would like to get moved and Commissioner Rasmussen stated they will be getting a surplus supply list ready at the May meeting to be sold in the future. Commissioner Payne mentioned that the change in electrical wire from the electrician will save us \$10,000.

Commissioner Payne stated the fair board had asked again about a power pole being moved and Commissioner Rasmussen will get a cost on a pole.

Davidson inquired about finishing the bathroom in the equipment shed, the Commissioners told him to move forward and finish it.

Commissioner Rasmussen mentioned that ICRMP has a new personnel manual, moving pertinent information to the front of the manual. Commissioner Rasmussen also urged employees to continue

participating in the Risk Management Program as it is a five (5) percent savings and benefit for both the employees and the county. Some of the members of the ICRMP board are also on the Gem Plan board and it is a big help having the knowledge of both.

#### DISCUSSION ON M.O.U. FOR REPRESENTATION OF COUNCIL AT INITIAL APPEARANCE

Commissioner Payne stated Jared Ricks from the Public Defense Commission met with the clerk and himself regarding initial appearances. Public Defender Criss James appeared by phone and they discussed the contract and if it includes initial appearances. It was discussed on when the form or application to qualify for a public defender could be given, Sheriff Heslington stated they could give it as they took them to the jail. Attorney Jared Coburn was present and has contracted with Franklin County for initial appearances and has submitted his proposal if Bear Lake County would like to consider hiring him for initial appearances. Prosecutor McKenzie stated they had talked with Judge Garbett about doing an M.O.U. with a specific date and time for initial appearances and both Bear Lake and Caribou counties could do that. Attorney Joseph Hayes was also in attendance and he is currently under contract with the City of Montpelier. He was also asked to prepare a proposal to do initial appearances.

#### ELECTED OFFICIALS/COMMITTEE ASSIGNMENTS - Continued

Commissioner Jensen mentioned the regional landfill is moving along.

Commissioner Payne mentioned picking up dead animals and Esquibel stated the policy for the past two (2) years has been the property owner needs to get the animal to the county property. Commissioner Payne also mentioned putting funding into the budget for a Dyer's Woad program again and the weed manager would oversee it. The fees for water shares from the Black Otter irrigation will stay the same, the county has 454.5 shares which the airport uses. Commissioner Payne mentioned the fair board is working on another successful year, obtaining entertainers Brenn Hill, Cherry Peak and Justin James. The theme this year is "Barn in the USA". It was discussed about requiring 'release of liability' forms for the parade entrants and the Prosecutor suggested it should be done. Commissioner Payne stated that Judge Garbett will head up a committee to work on fund raisers for carving the tree stumps and Jensen Lumber will mill the lumber.

Commissioner Jensen also stated what a good working relationship the county is having with the City of Paris as was stated before by Wayne, they have been a big help in the process of removing the trees and also allowing equipment to be parked on their property.

Clerk Garner gave a copy of the Mutual Aid Agreement for emergency services to the Commissioners and will forward it to the other three (3) counties. There were a few other housekeeping items.

#### BOARD OF EQUALIZATION

There were no appeals.

#### ICRMP CYBER SECURITY TRAINING PROGRAM

Clerk Garner presented an email from ICRMP and encouraged the county to take advantage of the free training, our IT specialist, T.J. Burbank, is also on board with the training to help avoid harmful emails.

#### POLLING PLACES FOR MAY 2019 ELECTION

**Commissioner Jensen made a motion to keep the polling places at each precinct the same as the March election to avoid confusion for the May election, seconded by Commissioner Payne, motion carried.**

#### SET DATE FOR BUDGET HEARING

**Commissioner Payne made a motion to set August 19, 2019 at 9:00 a.m. in the School District #33 Board Room for the county budget hearing, seconded by Commissioner Jensen, motion carried.**

#### RATIFY CLAIMS

**Commissioner Jensen made a motion to ratify the bills for March, seconded by Commissioner Payne, motion carried.**

#### LEGACY BEACH SUBDIVISION

Commissioner Jensen further reviewed the subdivision ordinance and Mr. Hubrich would need to get the sewer to the property, he will call him and advise. **Commissioner Jensen made a motion to require, per the subdivision ordinance, Mr. Hubrich, to provide sewer to the property line of the Legacy Beach Subdivision prior to final plat approval, the electricity, telecommunications and other items need to be installed before a building permit can be issued for each lot, seconded by Commissioner Payne, motion carried.**

#### APPROVE MINUTES

**Commissioner Payne made a motion to approve the minutes for February 19, 27, March 7, 11 and 19, 2019, seconded by Commissioner Jensen, motion carried.**

#### PUBLIC COMMENTS

Jean Alleman and Robyn Owsley from the Senior Center expressed their appreciation for help in getting a grant.

#### SCOTT ESQUIBEL – COUNTY SUPERINTENDENT

Superintendent Scott Esquibel gave his Road and Bridge report discussing the projected ten miles of paved roads, one being the East Shore Road that was flooded in 2017, but have some grant money to help on that one. The graveled roads were also discussed, need to replace the bridge at Eight Mile Creek, sure up with large rock the Jericho Loop bridge, replace culverts on Long Hill Road, Bern Road and install a culvert on Teuscher Lane. Esquibel presented his Landfill report and questioned how to get citizens to pay their overage bills after being sent statements continually. Esquibel mentioned hiring a temporary by Memorial Day. He stated he and Commissioner Jensen attended an IDAWY Solid Waste District meeting and they are moving forward on the regional landfill, each county needs to have money in their closure fund.

Commissioners also expressed appreciation for all the work the Road and Bridge crew have been doing helping move tree lengths and removing the asphalt in preparation for construction on the new courthouse.

#### EXECUTIVE SESSION IF NEEDED

**Commissioner Payne made a motion to leave the regular meeting and go into an executive session pursuant to Idaho Code #74-206 (1) (d) 'To consider records that are exempt from disclosure as provided in chapter 1, title 74' and (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.**

A roll call vote was taken, and the voting was unanimous in the affirmative.

Board in executive session.

Board back in regular Commissioner meeting.

**Commissioner Jensen made a motion to approve putting a lien on Medical Claim #2019-10008 and approve payment on Medical Claim #2018-11 and #2014-04, seconded by Commissioner Payne, motion carried.**

Commissioners set Tuesday, April 23, 2019 at 9:00 a.m. in the School District #33 Board Room for a special meeting on the first appearance with public defender.

BRUCE OLENICK – IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY

Bruce Olenick, Regional Director for the Idaho Department of Environmental Quality, met with the Commission to discuss the Solid Waste Regional District and give support, making it known supporting the concept of the regional landfill and it looks good, but understand they cannot advocate the funding or financing part of it. The county needs to do their homework on the numbers. Olenick mentioned an article regarding the State of Wyoming and how the legislature set apart a fund and every county and municipality can apply to have the state build a transfer station and a regional landfill. Olenick wondered why Idaho couldn't mimic their rules and try something similar. Olenick will send the information. He asked about the committee the county had mentioned before regarding the land issues on the lake. Commissioner Rasmussen stated they had a chairman, Roy Bunderson, and would have him get a committee together which would be comprised of some landowners, DEQ, Bear Lake interest groups, state lands and law enforcement. Olenick stated they had acquired another grant and they have hardwired all the monitoring out at the lake with USGS. Commissioner Rasmussen also mentioned the state parks is considering doing another park west of the fish ladder.

**Commissioner Payne made a motion to adjourn the meeting, seconded by Commissioner Jensen, motion carried.** Meeting adjourned at 1:38 p.m.