

BEAR LAKE COUNTY COMMISSIONERS' MEETING

JANUARY 11, 2021

COMMISSIONERS' CHAMBERS – PARIS, IDAHO

The Board of Bear Lake County Commissioners met in their regular meeting on Monday, January 11, 2021 at 9:00 a.m., in the Commissioners Chambers, following the CDC's safe distancing guidelines and Governor's order, 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 and Clerk of the Board, Cindy Garner.

Others present were Treasurer Tricia Poulsen, Sheriff Bart Heslington, Building Inspector Wayne Davidson, County Superintendent Scott Esquibel and Kathi Izatt, reporter for The News-Examiner. Prosecutor Adam McKenzie was present through Zoom.

APPROVE AGENDA – ACTION ITEM

MOTION: Commissioner Jensen made a motion to approve the agenda as posted for January 11, 2021, seconded by Commissioner Payne, motion carried.

SWEAR IN ELECTED OFFICIALS

Commissioner Rasmussen swore in the newly elected officials, Prosecutor Joseph W. Hayes, Sheriff Bart Heslington, Commissioner Bradley D. Jensen and Commissioner Rex L. Payne. Commissioner Rasmussen expressed appreciation to them for taking the time to run for election and serve the county.

Commissioner Payne made a motion to nominate Commissioner Rasmussen to continue serving as the chairman of the board, seconded by Commissioner Jensen, motion carried.

ELECTED OFFICIALS MEETING/COMMITTEE ASSIGNMENTS

Sheriff Bart Heslington presented his monthly and yearly reports. Search and Rescue was called out over the weekend, along with Air Idaho, to find a couple of snowmobilers, grateful for a successful rescue and all made it home safe. Deeply appreciate those volunteers, but the age of volunteering is quickly closing, as is with the EMT's as discussed previously. Caribou County has done a fantastic job and been accommodating to our Bear Lake County jail needs. As one of the dispatcher's left, in the hiring process with interviews, testing and hope to hire soon. In response to Commissioner Rasmussen's inquiry of the Snowmobile program, Sheriff Heslington remarked they are grooming, more rocks than snow, have signs up showing closed to wheeled vehicles but some still try.

Treasurer Tricia Poulsen presented a deed to be signed on the tax deeded Burgoyne property. Treasurer Poulsen had some cancellations, one (1) on an exempt parcel, the other two (2) on garbage, each only having one (1) can.

MOTION: Commissioner Payne made a motion to cancel the taxes on the exempt property of Parcel #346 for \$460.72 and the garbage on Parcel #907 for \$205.00 and Parcel #4881 for \$205.00, each having only one (1) can, seconded by Commissioner Jensen, motion carried.

Treasurer Poulsen had sent the Occupancy bills out, up about \$750,000, many are paying online and some using the drop box. They had 189 parcels that were three (3) years delinquent, but are now down to 72 and have three (3) months to pay.

Assessor Heber Dunford presented a report on his office to the Commission, Motor Vehicle Department staying busy, re-appraisal going well, two enrolled in Winter Appraisal School this week for certification. Mapping and deed process still running behind, Covid set them back with everyone in their office getting it, recording activity has increased, over one hundred deeds in December alone. There has been increased activity in phone calls with tax and property related questions and walk-in activity to look at maps and ownership.

GENERAL ACTION ITEMS

RATIFY CLAIMS

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

APPROVE MINUTES

MOTION: Commissioner Jensen made a motion to approve the December 14, 2020 minutes with the correction to add a second by Commissioner Jensen on the executive session, seconded by Commissioner Payne, motion carried.

AUDIT ENGAGEMENT LETTER

MOTION: Commissioner Payne made a motion to sign the Audit Engagement Letter, seconded by Commissioner Jensen, motion carried.

AWARD BID – COURTHOUSE UPDATE

Commissioner Payne met with Bruce Olenick, Pocatello Regional Administrator and Amanda Hardy, Pocatello DEQ Waste Management Compliance Office with DEQ (Department of Environmental Quality), Kevin Luke, Travis Burbank and Val Swensen with LeGrand Johnson Construction Company, had Building Inspector, Wayne Davidson, join the meeting toward the end for some questions. Prosecutor McKenzie had reviewed all three (3) of the bids. The bids did not include the asbestos or lead paint removal. Commissioner Payne checked out some quotes for asbestos and lead paint testing and evaluation, a company he found would do both for less than the other for just asbestos. They are under the amount needed to bid out. Commissioner Payne clarified the asbestos report on file done years before, testing was done in nine (9) samples, the requirements today need more so they will do those, they felt the lead paint with all the rock, brick and mortar would be very minimal.

MOTION: Commissioner Payne made a motion to accept the lowest bid of \$189,455 from LeGrand Johnson Construction Company, amended to add the statement, effective fourteen days after removal of asbestos and lead paint with the EPA report, seconded by Commissioner Jensen, motion carried.

AWARD BIDS – SURPLUS PROPERTY

Commissioner Payne and Clerk Garner did go over all the bids and would like to get those items moved out as soon as possible. They will coordinate with Wayne Davidson or Tyson Boehme to get items out of the building. Other items not bid on will be put up for auction again and any items not listed, but bid on before, would be included. The time capsule is out front and would need to be relocated prior to any Commissioner Payne encouraged creating an inventory list for each department, for insurance purposes. Commissioner Rasmussen would like to have an Elected Officials meeting in February to get updates from each department and would like that included on the agenda.

Commissioner Payne did some checking on the recommendation on filing on additional water rights as requested from David Cottle. In speaking with the legislators, if filed, could be included in the lake, but then goes on down to Utah. Encouraged the need to sign the letter of support as it would benefit Idaho about 125,000 acre feet. This would protect the water in Bear River and Bear Lake being beneficial to Southeast Idaho. It would also make sure our downstream neighbors in Caribou and Franklin Counties are protected.

MOTION: Commissioner Jensen made a motion to sign the letter of support to the Idaho Water Resource Board for the ID/UT Joint Application for 400,000 AF in Bear Lake, seconded by Commissioner Payne, motion carried.

ITAFOS LETTER

Commissioner Rasmussen informed the Commission that Jon Goode with Itafos is requesting a signed letter of support for extending the Husky 1 mine. Due to the amount of income and employment the mines bring to the valley, the Commission is very supportive.

MOTION: Commissioner Payne made a motion to sign the letter of support for Itafos for extending the Husky 1/North Dry Ridge (H1/NDR) project, seconded by Commissioner Jensen, motion carried.

FOREST SERVICE CONTRACT

Sheriff Heslington requested the annual Forest Service Contract be signed, allowing the Sheriff department to conduct patrols on certain forest service properties, roads and at the campgrounds. The Forest Service compensates Bear Lake County for that service.

MOTION: Commissioner Jensen made a motion to accept and sign the Annual Forest Service Contract, seconded by Commissioner Payne, motion carried

CITY of MONTPELIER LAND TRADE

MOTION: Commissioner Jensen made a made a motion to approve Commissioner Rasmussen to work with the City of Montpelier to make the land trade of the old Behavior Health Building property for similar size property adjacent to the fairgrounds, seconded by Commissioner Payne, motion carried.

SELLING of the RICH BUILDING

Commissioner Rasmussen reminded the Commission the Rich Building went up for bids twice, getting no response. They have an offer of \$125,000 just under the appraised value, but feel it would be good to accept the offer so the County is not sitting on an empty building.

MOTION: Commissioner Payne made a motion to accept the offer of \$125,000 for the Rich Building, seconded by Commissioner Jensen, motion carried.

Commissioner Jensen reported the District Landfill, IDAWY, is now functioning and working well for the four (4) counties, Bear Lake, Caribou, Oneida and Lincoln County, Wyoming. As the small landfills were at or over their limits, it made the most sense to combine forces to alleviate the extra cost each county would be looking at.

WAYNE DAVIDSON – BUILDING INSPECTOR REPORT/ORDINANCE #2021-03 – ADOPT 2018 EDITION of the INTERNATIONAL BUILDING CODE (IBC) -ACTION ITEM

Wayne Davidson, Building Inspector, gave his monthly report to the Commission with no new permits, but everyone is looking for contractors. Davidson presented the ordinance regarding the 2018 Edition of the International Building Code (IBC) encouraging the Commissioners to adopt it.

MOTION: Commissioner Payne made a motion to accept Ordinance #2021-03 to adopt the 2018 Edition of the International Building Code, seconded by Commissioner Jensen, motion carried.

Clerk Garner had several housekeeping items.

Commissioner Rasmussen attended the Ambulance Board meeting in which they approved subsidizing the EMT's, and as the Sheriff spoke about the need for the Search and Rescue to be looked at also. Fire Chief Mark Parker inquired about insurance coverage if at a scene, Commissioner Rasmussen reported as long as following protocol for level of training, ICRMP would cover. Chief Parker updated the Commission they have fifty-four members currently and have picked up a new fire truck.

Commissioner Rasmussen expressed appreciation to all the volunteers.

BOARD OF EQUALIZATION – ACTION ITEM

MOTION: Commissioner Payne made a motion to leave the regular meeting and go into a Board of Equalization, seconded by Commissioner Jensen, motion carried.

There were no appeals but will leave the Board of Equalization open thru the fourth (4th) Monday in June, per statute.

MITCH POULSEN – PLANNING and ZONING ADMINISTRATOR – LON TUELLER RE-ZONE – ACTION ITEM/UPDATE FEE SCHEDULE – ACTION ITEM

Mitch Poulsen, Planning & Zoning Administrator, presented the recommendation from the Planning and Zoning Board for the Lon Tueller re-zone, having the hearing and no response either way.

MOTION: Commissioner Jensen made a motion to accept the Lon Tueller re-zone recommendation from the Planning and Zoning Board, seconded by Commissioner Payne, motion carried.

Poulsen informed the Commissioner of a needed update to the fee schedule as the last resolution was 2007-08. There are questions on price per acre in addition for a plat and want the fees to be reasonable and follow legal guidelines. Poulsen just wanted to give a heads up and will bring back more information in a future meeting. Poulsen mentioned flood plains in the Bear Lake County. Commissioner Rasmussen remembers years ago the National Flood Association wanted the County to pay for a consultant at a huge expense, so they did not proceed.

Commissioner Rasmussen reported more updates on Covid throughout the district, Bear Lake and others in Southeast Idaho are still in high risk, Power County did go down a bit. Best thing is common sense and wear a mask, social distance when you can. Averaging about two (2) or three (3) cases a day in Bear Lake, a couple of times up to twelve. Would like to give a plug in for the Blood Drive each quarter, it is for a good cause and helps many.

LISA ARNETTE, MONICA RAFFERTY- PATHWAY ASSOC., JULIA OXARANGO INGRAM-PRESERVATION IDAHO – HISTORIC BEAR LAKE COUNTY COURTHOUSE; LAURIE RICH, CHERYL SEARLE-FRIENDS UNITED for BEAR LAKE – HISTORY of BEAR LAKE COUNTY COURTHOUSE

Lisa Arnette, Monica Rafferty with Pathway Association and Julia Oxarango Ingram with Preservation Idaho met to discuss the historic Bear Lake County Courthouse, Laurie Rich and Cheryl Searle with Friends United for Bear Lake met to remind the Commission of the history of the Bear Lake County Courthouse. Julia Oxarango Ingram was the spokesperson for the group and recognized the minutes and agendas that had been sent per their records request, plus the asbestos report, but did not see any remediation issues. They hope to work with DEQ, SICOG and any others to help secure that assistance to not have the building torn down. Inquired about where the Commissioners are with the demolition, noting they accepted the lowest bid and timeline. Pathway Associates are standing by to answer questions and had helped with a feasibility study that Friends United for Bear Lake presented previously. Talk about a plan to move forward, identify people and partnerships, the grants they can apply for and other concepts for economic development. Commissioner Payne confirmed they approved LeGrand Johnson Construction Company's low bid, there is a company doing a new study on the asbestos and lead paint and should have results of that by the weekend. After the removal of any required materials and the report, need to wait fourteen days before demolition and moving forward in that direction.

PUBLIC COMMENTS

Roy Bunderson commented he had been involved with the process of a new courthouse from the beginning and respects and appreciates other points of view. Bunderson mentioned during the bond elections, which was expensive, there was not a plan to remove, but it appeared there was a general public consensus that the old courthouse would be dismantled or removed. Reminded the group about Franklin County's historic building, the Oneida Academy, which had over a million dollar donation, but it is still not occupied and still draining money from that community. Bunderson mentioned the initial report from Myers and Anderson, putting money into the structure did not meet needs of the court or other public offices. Not opposed if a group could come up with a plan to dismantle and remove the building. Over three (3) years ago supporting judicial review to go forward, a tax bill, expenses all go up and officials try hard to keep costs down and feel the Commission needs to honor commitments to move forward. Monica, with Pathway Associates, did a study for Friends United for Bear Lake that would answer a lot of the questions whether the actions would be viable regarding the courthouse, taking small steps and not be a drain on the community. Her position is to make sure it would be financially viable and agree 100% the property is not effective as a courthouse but could look at other options or uses if well managed could work. Bunderson reminded the group of the ADA liability of the old courthouse and did have pending lawsuits, but fortunate nothing had moved forward.

SCOTT ESQUIBEL – COUNTY SUPERINTEDENT

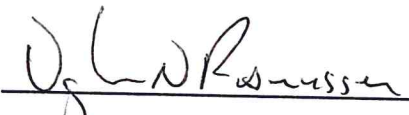
Scott Esquibel, County Superintendent, gave his monthly report on the Road and Bridge Department, informing the Commission of the Jericho Loop Bridge monthly progress meetings, performing miscellaneous repairs and service on equipment in preparation for next summer and plowing county roads. The continuing workload will be plowing and diking county roads. There is a 5 County Coalition meeting scheduled at the Oregon Trail Center on January 28th.

RATIFY ANNUAL ROAD & STREET FINANCIAL REPORT

Commissioners ratified the Annual Road & Street Financial Report as it had to be signed by December 31st.


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

Meeting adjourned at 11:40 a.m.



VAUGHN N. RASMUSSEN, Chairman

2-8-2021
Date Approved

ATTEST: 

CINDY GARNER, Clerk

