

The Board of Bear Lake County Commissioners met in a regular session on Monday, December 12, 2016 at 9:00 a.m. in the School District #33 Board Room in Paris, Idaho. Members present were Chairman Vaughn N. Rasmussen, Bradley D. Jensen, Rex L. Payne and Cindy Garner, Clerk of the Board.

Also attending were Treasurer Tricia Poulsen, Assessor Lynn Lewis, Sheriff Brent Bunn, Building Inspector Wayne Davidson and Daniel Bishop, The News-Examiner reporter.

#### AGENDA APPROVED

Commissioner Payne made a motion to approve the agenda with the addition of Waste Tire discussion, seconded by Commissioner Jensen, motion carried.

#### ELECTED OFFICIALS/COMMITTEE ASSIGNMENTS

Treasurer Tricia Poulsen presented a tax bill that needed to have an order of cancellation for Spencer Munyan as was discussed in an earlier meeting and also 5 others per various reasons for cancellation. Commissioner Jensen made a motion to cancel taxes for Spencer Munyan, Charles Horikami, William Byrd, Earl Bailey, Sidney Stoor and James Veater, seconded by Commissioner Payne, motion carried. Poulsen also reported she was pleased with the cost of the new mailing system for sending out tax notices. In the future, electronic billing will be available on this program. Poulsen and the Commissioners discussed a tax question regarding the Bear Lake Community Health Center and will meet with them and discuss it further.

Sheriff Brent Bunn presented his monthly report and stated that Caribou County will not charge for the computer error in billing. Bunn was pleased with the new deputy being offered the vacant position. He also stated appreciation to the Commissioners for hiring TJ Burbank for the county's I.T. needs. Sheriff Bunn also thanked the county officials and employees for the nice retirement party.

Assessor Lynn Lewis reported that the Pictometry contract was coming up and he wondered if it was worth renewing. He said he would rather have an appraiser on the ground instead of spending the money on an aerial photograph. It was discussed that other offices do use Pictometry and it will be reviewed further.

Clerk Cindy Garner presented some housekeeping items. Commissioner Payne made a motion to move forward with the audit with Gary Teuscher's office as in the past, seconded by Commissioner Jensen, motion carried. Commissioner Jensen made a motion to approve and sign the County Vessel Financial Report for submission to the state, seconded by Commissioner Payne, motion carried.

#### BUILDING INSPECTOR REPORT

Wayne Davidson, Building Inspector presented his monthly report stating there had been 31 new homes built this year. There is a fence on Web Hill Road that is in the county right-of-way and per regulations a letter has been sent to the owner. Discussion did ensue regarding whether it should be a county road and there are others similar to this one all over the county. The Commissioners would like to review them at the January meeting to see which roads should be vacated, then a public hearing could be held

in February. Davidson had gathered the information they requested previously regarding the usage of the Pictometry system and stated that along with the assessor's office, the sheriff's office and dispatch use it the most. He uses it as does the clerk's office. The landfill had discussed with Davidson the possibility of assigning garbage cans at the time of permitting as to help landowners know where to put their garbage instead of their neighbors' cans or on the ground. Davidson presented the Commissioners with their requested Building Permit Checklist and will give it out to the builders and have it on the website to assist in the building process.

Roy Bunderson entered a complaint about a letter sent to a landowner regarding a fence on Web Hill Road and stated he would challenge it.

#### BOARD OF EQUALIZATION – OCCUPANCY TAX ROLL & SUBSEQUENT ROLL

Commissioners reviewed an appeal from Craig Forsberg on the value of a property he owns. After further review and recommendation from Deputy Appraiser Paul Day in which he stated the value should be lowered, Commissioner Payne made a motion to leave the Board of Equalization and return to the regular meeting, seconded by Commissioner Jensen, motion carried. Commissioner Jensen made a motion to reduce the valuation on Craig Forsberg's property from \$157,420 to \$108,000, seconded by Commissioner Payne, motion carried.

Assessor Lynn Lewis and Deputy Appraiser Paul Day discussed the occupancy roll and gave figures regarding what had been changed. Also there is a bit of a problem with trailers and the value of those registrations was over \$417,000 which are not registered in just one area of the county they have looked at and are getting assessed. They sent out letters and they have until December to register and if not they get taxed. They sent out assessments in the amount of \$270,000. Commissioner Jensen made a motion to accept with the one change, the occupancy roll, seconded by Commissioner Payne, motion carried.

Becky Lowe with the Bear Lake Community Health Center had to cancel and will come at a later date.

#### SHERIFF-ELECT BART HESLINGTON – VEHICLE LEASE PROGRAM

Sheriff –Elect Bart Heslington discussed with the Commissioners his plan to lease the sheriff's vehicles instead of buying a new one every year. After talking with the other counties about the program, the Commissioners still have lots of questions about the program. They would like to take the year and look at it closer, in the meantime the sheriff's office needs to send out the specs for a new vehicle this year. Heslington also talked about getting a more professional domain name for the county's e-mails. Chairman Rasmussen asked the clerk to have our new I.T. person, TJ Burbank to come to the January meeting with some fees and options to look at.

Jeremy Fields from Senator Risch's office stopped by and spoke to the Commissioners regarding the SRS funds, in which he stated no SRS (Secure Rural Schools) payments will be made by the federal government next year. The Commissioners were disappointed to hear the loss of funds but were appreciative of Risch's efforts in the matter. Fields also returned the Lake Meade Quagga Mussel stick

which Risch had been using to demonstrate their danger. It will be returned to the Bear Lake Regional Commissioner office.

David Doran & Kathleen Lewis of SICOG were not able to come at this time.

#### BUDGET RESOLUTION #2017-02, #2017-03

Commissioner Payne made a motion to leave the regular meeting and go into a public hearing for the purpose of budget resolutions, seconded by Commissioner Jensen, motion carried. The clerk read each resolution: Resolution #2017-02 'Resolution Ordering the Transfer of Appropriations from the Current Expense Fund to the County Fair Fund to Meet Expenditures until Funds are Received'. This was needed to approve the Fair Fund borrowing money from the current expense fund for the bleacher project which was less than anticipated in the amount of \$5,908.29, not the sewer problem as was mentioned in the meeting. The fair fund will pay back the current expense fund in 2017. Resolution #2017-03 'Resolution Increasing the Budget for Fiscal Year 2015-2016 County of Bear Lake, State of Idaho'. There were necessary expenses, none of which will result in an increase in property taxes and also unscheduled grants and revenues that all needed to be accounted for. Commissioner Payne made a motion to accept and sign budget Resolutions #2017-02 and #2017-03 for the purpose of necessary adjustments to some funds, to account for unplanned revenue and approve the fair fund borrowing money from current expense for the bleacher project as planned, seconded by Commissioner Jensen, motion carried. An updated budget can be reviewed at the clerk's office and also a copy of each resolution in detail can also be obtained.

#### GOLF COURSE UPDATE

Kerry Haddock and Dennis Duehren updated the Commissioners on the Montpelier Golf Course. A contract has been reviewed by the former prosecutor with Leisure Time LLC, (Richard and Jennifer Sliviniski) for management of the golf course. Full contract details can be obtained at the clerk's office. They also discussed some issues with the lawnmowers on the golf course. More information needs to be gathered about the mowers. Commissioner Jensen made a motion to approve management of the Montpelier Golf Course with an agreement between Bear Lake County and Leisure Time, LLC, seconded by Commissioner Payne, motion carried.

#### EAST SHORE ROAD RESOLUTION – LHTAC GRANT

The Commissioners signed a resolution for the Dingle Road Phase 2 project which they had previously approved.

#### MINUTES APPROVED

Commissioner Payne made a motion to approve the minutes, seconded by Commissioner Jensen, motion carried.

#### 2017 HOLIDAY SCHEDULE

Commissioner Jensen made a motion to approve the 2017 holiday schedule for the county employees, seconded by Commissioner Payne, motion carried.

#### SOUTHEAST IDAHO DISTRICT HEALTH DEPARTMENT

Leslie Talbot, Tiffany Preston and Jesse Anglesy gave their quarterly report. The Health Department has moved into their new building behind Subway in Montpelier. The SEICAA office has also moved to the new building. The Commissioners talked about plans for the old building which will be turned over to the hospital.

#### FUEL BIDS

Commissioner Jensen brought up the need to review fuel costs. It is time to bid the county's fuel purchases soon. The Commissioners also discussed including oil in the bid as well. Commissioner Jensen will get with the clerk's office to get the bid ready for publication.

#### BOAT BID

The Commissioners had scheduled to open bids for the new boat for the waterways program but no responsive bids were received. One bid was received by e-mail but did not meet the bidding procedure requirements.

#### PUBLIC COMMENTS

Roy Bunderson addressed the Commissioners stating his regular complaint about the building code and the cost of the building inspector. He also included the cost of Planning and Zoning and presented a page of figures to illustrate his point. He asked the Commissioners where they were going with the courthouse and told them that he was in support of judicial action. Chairman Rasmussen mentioned they were still talking about judicial confirmation and would try to have an attorney at the January meeting to explain the process. Bunderson was also concerned that the ambulance service costs and fees are too low and asked the Commissioners to consider some kind of reimbursement for those who drive the transfers. Chairman Rasmussen stated he had met with them about a month ago and are looking at doing something, at this time the county does offset their training costs. Bunderson stated his concern about the fence issues in the right-of-ways of county roads, quoting eminent domain.

David Cottle asked the Commissioners about the letter sent to the attorney general's office about the lake and feels that the issue needs to move forward. Chairman Rasmussen stated how busy they are but did ask the clerk to get him a copy of the letter and he will forward it to the legislators and also stated that Commissioner Jensen has leadership on the lake issues.

Bill Stock complained about the snow removal on the sidewalks of the courthouse. He also stated that Planning and Zoning had cancelled four meetings last year and they are only allowed to cancel three. He feels they have plenty of work to do and would also like to get a new updated Planning and Zoning Handbook.

## EXECUTIVE SESSION

Commissioner Jensen made a motion to leave the regular meeting and convene into an executive session pursuant to Idaho Code #74-206 (b,d,f) for personnel, indigent and legal issues, seconded by Commissioner Payne. A roll call vote was taken, Commissioners Vaughn, Brad and Rex all stating "I". Also invited to attend the executive session were Deputy Clerk's Jamie Humpherys, Mindy Williamson and Clerk Garner. Commissioner Jensen made a motion to leave the executive session and return to the regular session, seconded by Commissioner Payne, motion carried. One Commissioner left the room for a few minutes.

## PLANNING AND ZONING – REVIEW ORDINANCES

Mitch Poulsen, Planning and Zoning Director came to present some ideas from the commission. According to the bylaws, the commission was one meeting short this year due to lack of agenda items, but still within state law. The Commissioners suggested holding a conference call next time. Poulsen wanted the Commissioners' input on making some modifications to the zoning and subdivision ordinances, such as reducing the requirements for lot splits in the overlay zone from 40 acres to 5 acres because often people cannot get a loan for 40 acres when building a house. The changes may require additional planning review and the change may increase usage of county roads. Poulsen presented information on properties that have been split off under current rule. There has been a slight turnaround in building this year and the Commissioners do not want to stifle growth or make it harder for families who want to live here. Most people are looking for about 5 acres. The current rule has a sunset clause, so it will need to be reviewed soon. Another potential change is to do away with plotting under 5 lots and instead use an agricultural provision to allow a streamlined approval. More review time and expense is required for plotting. A right-of-way provision will need to be included so parcels are not landlocked and roads are wide enough for emergency vehicles. Chairman Rasmussen noted that the short-term rental law in Jackson is being challenged in court. The Commissioners will hold a joint meeting with Planning and Zoning in January. They also reviewed plans to work with the Department of State Lands on lakebed management.

Chairman Rasmussen had received an inquiry regarding a floating restaurant on the lake. The interested party would like a letter stating that the county doesn't regulate it. Vaughn will put a letter together and have the attorney review it.

## HOSPITAL BOARD APPOINTMENTS

The hospital sent a letter regarding the expiration of terms of board members Maxine Matthews and Lila Rigby, both wished to continue to serve. The letter also included some alternates if the Commissioners chose to make a different appointment. Commissioner Payne made a motion to reappoint Maxine Matthews and Lila Rigby each for another 3 year term, seconded by Commissioner Jensen, motion carried.

## JANITOR CONTRACT

The Commissioners were informed that the employee currently cleaning the courthouse had resigned. It was decided to try a contract service but the contract was not yet ready for review. The clerk will also contact the City of Paris in regards to the sidewalks.

#### PUBLIC DEFENDER CONTRACT

The Commissioners noted that the public defender contract will be expiring at the end of the month. After some discussion, the Commissioners decided that they would work with the current public defender on a month-to-month basis until they see what happens with combining with another county. There will be a meeting on January 18<sup>th</sup> for Commissioners and Clerks in Pocatello regarding public defense. The Commissioners wish to wait till after the meeting and at this point will continue to contract with Criss James.

#### REQUEST FOR USED VEHICLES

The Commissioners noted that the airport, the building inspector and search and rescue have all requested to be on the list to receive any used vehicles from other county departments. The airport is first on the list.

#### 2015 SUPPLEMENTAL EMPG

Commissioners had approved this grant previously and it just needed a signature. This is a small supplement to the 2015 grant.

#### WASTE TIRE ORDINANCE

The Commissioners are looking at doing away with the current Waste Tire Ordinance and will create a resolution regulating the tires. It will be on the agenda for the next month. They also need to discuss the charges for dead animals.

#### COURTHOUSE HOURS/POLICY

The courthouse hours and policy will be scheduled in a timeslot so all interested parties can attend. The Commissioners asked to review some past records on the issue also. They are asking for the courthouse to remain open during the lunch hour.

#### CLAIMS APPROVED

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

There were several other items that came out of the executive session regarding indigent claims. Commissioner Jensen made a motion to deny Medical Claim #2017-02, approve a partial release of lien on Medical Claim #2007-11 and put Medical Claim #2016-16 on suspension, seconded by Commissioner Payne, motion carried.

Commissioner Payne made a motion to adjourn the meeting, seconded by Commissioner Jensen, meeting adjourned at 3:00 p.m.