

The Board of Bear Lake County Commissioners met in a regular session on February 13, 2017 at 9:00 a.m. in the School District #33 Board Room in Paris, Idaho. Members present were Chairman Vaughn N. Rasmussen, Bradley Jensen, Rex L. Payne and Cindy Garner, Clerk of the Board.

Also attending were Treasurer Tricia Poulsen, Sheriff Bart Heslington, Assessor Lynn Lewis, Sheriff Deputies Rob Pelto and Spencer Clements, retired Sheriff Brent Bunn, Craig Bunn, Jean Alleman and Daniel Bishop, Reporter for The News-Examiner.

AGENDA APPROVED

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

ELECTED OFFICIALS MEETING/COMMITTEE ASSIGNMENTS

Neither Treasurer Poulsen and Assessor Lewis had anything to report at this time. Clerk Garner presented a letter regarding drone height which Commissioner Payne will address. She also addressed recent water damage in the court clerk's office and some other flooding issues, which the Commissioners had taken calls also regarding flooding in Bailey Creek, Bear Lake West and Paris Canyon. Chairman Rasmussen stated Bear Lake County is providing additional sandbags to other counties as needed and sandbags are available for the public to fill and take at the Montpelier City Hall, the Courthouse and at the County shop. Chairman Rasmussen stated we would wait to declare a state of emergency for Bear Lake County, stating it was going to be a high water year.

Commissioner Jensen talked about a grader that had broken down, it is about 20 years old, so they asked the Caterpillar company for options. The landfill had a DEQ inspection, several problems were addressed and are being fixed. Landfill supervisor, Todd Transtrum, put together a new weekly log to help them avoid those issues in the future. A regional landfill is being discussed to solve the garbage problems of several counties in Idaho and Wyoming. Commissioner Payne mentioned that Jackson Hole is baling their waste.

SHERIFF PRESENTATION

Sheriff Bart Heslington, with the support of the County Commissioners, presented Sheriff Brent R. Bunn with his badge and service weapon. The Sheriff's department had the weapon engraved as part of a thank you for the many years of service.

BUILDING INSPECTOR REPORT

Wayne Davidson, Building Inspector, presented his monthly report. Two new residences are being built, others being planned. Recent updates to the 911 map are almost complete. He explained that the leaks in the courthouse roof are the same as the past. He also stated the roof of the shed that houses the fuel for the courthouse has a broken support due to ice sliding off the main courthouse onto the shed roof. Davidson explained that the phone system at the courthouse has been maxed out due to its age and updates could be costly.

SOUTHEAST IDAHO PUBLIC HEALTH QUARTERLY REPORT

Leslie Talbot, Tiffany Preston and Jesse Anglesy presented their quarterly report. The new building is working out well, despite some parking issues with the big snowbanks. They are still giving flu shots.

Prosecutor John Olson joined the meeting at 9:45 a.m.

GRACE THIEL COMMUNITY CENTER

Jackie Price reported on the improvements to the center that were made with the county's contribution. She reported that they are still partners with the Idaho Food Bank, meaning that they will give food to whom ever needs it and that all donations that come in during their weekly lunches go to the maintenance of the building and not to the purchase of food. The Commissioners feel strongly about supporting the seniors of the valley and that we are sure to follow the rules governing the distribution of the food. They appreciate the service that the community center provides. Commissioner Payne has been attending some of their meetings and sees progress in what they are doing and the Commissioners will continue to support the program for the senior citizens. Chairman Rasmussen stated working with the board is helpful.

SHERIFF VEHICLE SPECS

Sheriff Bart Heslington presented his monthly report and the hours and costs for the jails for the last five years. As people still are asking about building a jail, the Commissioners noted that this program is still a lot cheaper than building and maintaining our own jail. Sheriff Heslington also presented the vehicle specs for the upcoming bid for a new sheriff's vehicle. Commissioner Payne made a motion to approve the specs for a new sheriff's vehicle to be published, seconded by Commissioner Jensen, motion carried.

CARIBOU COMMUNITY PLAY GROUND SPLASH PAD

Georgia Brown, of the Friends of the Soda Springs City Park, presented a plan to build a splash pad and new playground for the Soda Springs City Park, stating that this will be a destination for the surrounding areas as well. She asked if Bear Lake County would be willing to provide a donation for the project. Chairman Rasmussen stated they would have to review the budget and determine the benefits before they could approve a donation.

PROPANE COSTS

The Commissioners discussed propane costs and determined that a new bid for a one year contract needs to be sent out to make sure the county is getting the best rates. They will review the specs for bidding in their March meeting.

PURCHASING AND CONTRACTS

The Commissioners will make an official review of the policies regarding the counties purchasing and bidding processes.

KEG PERMIT ORDINANCE

Quinn Pope and Craig Forsberg discussed the county's ordinance on keg permits. They would like to see a change in the ordinance to allow the state permit to work in the county. They had previously met with Chairman Rasmussen and Sheriff Heslington, who can see the logic of the request. Commissioner Jensen made a motion to have the sheriff and prosecuting attorney review the current keg ordinance and have the verbiage follow the state statute and present their recommendations next month for approval, seconded by Commissioner Payne, motion carried.

Craig Forsberg also brought up his property tax regarding the home he is building, stating he did not move stuff in until October. Assessor Lewis stated they had checked it and felt in August that it should be on the occupancy roll. Commissioners stated they would look into it.

COUNTY ROADS – ESTERHOLDT ROAD & WEBB HILL ROAD

Scott Hirschi owns property near Pegram and discussed a fence and road issue concerning Webb Hill Lane and also Esterholdt Road. He put in a new fence in line with the old fence but was actually in the county's right-of-way as he had received a letter from the building inspector. The Commissioners let him know the county is considering abandoning a section of that road as it only leads to Hirschi's property. Hirschi was informed that an agreement can be reached that allows him to leave the fence until, and or if, the road is upgraded.

SEISMIC REPORT FOR BEAR LAKE COUNTY

Alan Eborn, Bear Lake County Emergency Services Manager, discussed a seismic report conducted by the Idaho Office of Emergency Management and FEMA. Thirty-eight buildings in eastern Idaho were inspected and of those, the Montpelier City Hall rated the most vulnerable to earthquake damage and the Bear Lake County Courthouse rated third most vulnerable. The Bear Lake County Sheriff's office was rated best of those buildings reviewed. It was recommended that both the Courthouse and City Hall receive further inspections, as they are housing critical infrastructure. Eborn also discussed the flooding, stating that Bear Lake County helped Rich and Franklin Counties with sandbags and additional sandbags being ordered. The Commissioners appreciated the report and all that Alan Eborn does for the county. There will be an Earthquake Exercise in May and have asked for a couple of buildings out at the fairgrounds.

BPS PHONE REP. – RE: PHONE SYSTEM IN COURTHOUSE

Dean Stutzman, BPS representative, discussed a new, upgraded phone system for the courthouse with the Commissioners. Stutzman stated after checking it would include the sheriff's office and also mentioned if we get a new courthouse all the equipment could be moved over. The Commissioners will review and a decision will be made later.

EXECUTIVE SESSION

Commissioner Payne made a motion to leave the regular meeting and go to an executive session, pursuant to Idaho Code #74-206 (b,d,f), for personnel, indigent and legal issues, seconded by Commissioner Jensen. A roll call vote was taken where they each stated 'I'. Also invited to attend the executive session were Sheriff Heslington, Deputy Clerk's Jamie Humpherys and Mindy Williamson, Prosecutor John Olson and Clerk Cindy Garner.

Commissioner Jensen made a motion to leave the executive session and return to the regular meeting, seconded by Commissioner Payne, motion carried.

JUVENILE JUSTICE UPDATE

Lennart Nivegard, who will be retiring, introduced his replacement, Stace Gearhart. Ron Harper was present also. Nivegard presented the Juvenile Justice update and mentioned the collaboration between the counties and state, which is what makes it all work.

FOREST SERVICE – POTENTIAL ROAD STIMULUS DOLLARS

Dennis Duehren of the Forest Service and Tom Brown from the state discussed potential road stimulus dollars with the Commissioners. The forest service is anticipating the new presidential policies and presented the Commissioners with a list of roads that need improvements and asked for the Commissioners' priorities.

PUBLIC COMMENT

Mark Parker with the Bear Lake County Fire Service asked the Commissioners about building a new garage by the ambulance garage on the county fairgrounds to store fire trucks. As he was not on the agenda, the Commissioners would review the proposal with the Fair Board and put it on the agenda at a future date.

IDAHO DEPT. OF LANDS

Gary Billman and Pat Brown from the Idaho Department of Lands came to discuss lake shore management issues. The Commissioners had asked the Department of Lands to the meeting to discuss a letter that was sent from the Attorney General's Office in regards to questions on the county's ordinance for lake shore management. The AG's letter indicated that the ordinances had not been rescinded but had questionable legal footing. The letter also said that Bear Lake County had no authority over public lands, including the lake bed. Billman and Brown made some attempts to clarify the letter, saying that it was not absolute, but Bear Lake County should take the lead in resolving these issues. Chairman Rasmussen stated his concern with the wording of the letter from the AG's office, and expressed that he did not wish to waste county time to be told they had no authority. It was determined that a conference call between the Commissioners, the Department of Lands and the Attorney General's Office to discuss the situation was needed. Billman said he would initiate that call. Commissioner Jensen emphasized the need for a quick resolution. They hoped that maybe the high water year could postpone some of the problems to allow discussion. Pat Brown stated as Bear Lake is a different lake than most they deal with, there would be a different set of rules and it may be a long

process. Chairman Rasmussen stated the county would need help with funding and need to move forward.

BEAR LAKE WATCH – SHORELINE USES

David and Claudia Cottle of Bear Lake Watch, after listening to the discussion with the Department of Lands, expressed their interest in being part of the process. They stated they are not part of the government but are willing to help and would like to see a quick resolution as well.

COUNTY ROADS

The Commissioners are looking at one road, possibly others that they would like the county to vacate. These roads do not lead to anything and should probably not be county maintained. There is a set process to vacate roads and Clerk Garner was asked to get things started. A public hearing date will be set and posted.

ROAD & BRIDGE – TURN-AROUND ST. CHARLES

Road & Bridge Supervisor, Greg Skinner, discussed with the Commissioners several items, including the flooding across Bear Lake County. He said that the crews were on many of the scenes of flooding, trying to fix the problems quickly. There is a road in St. Charles that the county vehicles, plows and garbage trucks have difficulty turning around on. They are in talks with the property owner to place a turn around on the property. The Commissioners thanked the Road & Bridge crew for all the hard work keeping the roads open. The Commissioners and Skinner emphasized the need for people to be patient. In a high water year there will be a lot of damage to county and state roads, and crews will work as quickly as they can. Skinner mentioned that the grader is in bad condition, Commissioner Jensen said to go ahead and repair it as there will be more value if they do a trade-in later.

SOLID WASTE – CELL PHONE & SNOWPLOW/FUEL TANK FOR BRET'S TRUCK

The Commissioners also discussed that it would be helpful to put a fuel tanks and plow on one of the Solid Waste departments' pick-up trucks to assist the road crew. They also talked about replacing the land line at the landfill with a cell phone.

AUDIT REVIEW

Commissioner Jensen made a motion to approve the 2016 Audit as presented in January, seconded by Commissioner Payne, motion carried.

A few items from the executive session were some medical indigent claims. Commissioner Payne made a motion to release Medical Case #2017-10010 as case was denied, to place a lien and approve Medical Case #2017-10009, place a lien on Medical Case #2017-10006, approve Medical Case #2017-10012, and Medical Case #2017-10011, to deny for lack of an interview Medical Case #2017-10015 and approve an extension on Medical Case #2016-00016, seconded by Commissioner Jensen, motion carried.

Commissioner Jensen made a motion to approve a school application for Brittney Rasmussen for CSI, seconded by Commissioner Payne, motion carried.

DESIGNATE POLLING PLACES/BERN – MAIL BALLOT

Clerk Garner presented the Commissioners the polling places for the March School Levy election. They discussed and determined to have Bern also be a mail ballot precinct this election. Commissioner Jensen made a motion to approve the polling places for the March 14, 2017 election, seconded by Commissioner Payne, motion carried.

RATIFY SUBORDINATION

Commissioner Jensen made a motion to ratify a subordination lien with the county's position on an indigent lien to another lender, seconded by Commissioner Payne, motion carried.

COMMUNITY SERVICE VEHICLE

The community service vehicle is out of service. Options for repairing or replacing the vehicle need to be explored.

RATIFY CLAIMS

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

WASTE TIRE RESOLUTION

The Commissioners discussed how to address the county ordinance on waste tires. They are working toward collecting a fee per tire when the tires are deposited at the landfill, rather than requiring the retailers collect and remit a fee. The Commissioners had hoped the needed change could be done by resolution but after additional review determined that some changes need to be made to the ordinance. Commissioner Jensen was assigned to continue to work on the issue along with the Prosecutor.

Commissioner Payne made a motion to adjourn the meeting, seconded by Commissioner Jensen, motion carried. Meeting adjourned at 3:40 p.m.