

**COMMISSIONER MEETING OF December 10, 2018**

The Caribou County Commissioners met in regular session on December 10, 2018 at 9:00 a.m. Those in attendance were Phil Christensen Commission Chair, Mark Mathews and Bryce Somsen, Commissioners. Also in attendance were Caribou County Clerk Denise Horsley, Deputy Clerk Jessica Zander, Road & Bridge Supervisor Kim Spencer, Leadman Bret Barfuss Bill Volk, Jeff Hosek via telephone, Public Safety Director Eric Hobson, Caribou County Coroner Darrin Sims, Landfill Supervisor Jayson Lower, Caribou County Sheriff Kelly Wells, Indigent Director Donna Ledbetter, Caribou County Treasurer Angie Mendenhall, Jerri Lynn Harrison, Lori Anne Lau, Reed Crandall, Jeff Godfrey, Jon Godfrey, Keller Crane and JoAnna Ashley, Mayo Krogue, Elmo Krogue Michael Steck via telephone (Krogue's attorney).

The meeting opened with the pledge of allegiance and prayer.

**Kim Spencer/Brett Barfuss, Road & Bridge:**

- Kim has rejected all the previous crusher bids. He will put another notice in the newspaper with the changes that were discussed in a previous meeting. The closing date will be December 26, 2018 and he will present the bids on January 14, 2019 to the Commissioners.
- Kim would like the landfill to bring over any cement that they would like crushed as soon as possible.
- They will be done hauling chips from NuCor on Wednesday. They will start hauling out of Pocatello after that.
- Commissioner Somsen asked Kim to contact the IDOT about the Tin Cup Bridge. He noticed that it is still rough. Kim is planning to attend the meeting in January and he will mention it.

**Eric Hobson, Public Safety:**

- Eric conducted the ICRMP driving training. The topic for discussion was keeping up on preventative maintenance for your vehicle.
- He also said that county employees should keep in mind that the public notices how they are driving when they are in a county owned vehicle.

**Darrin Sim, Coroner:**

- Darrin presented the agreement with Ada County for FY2019. Doug Wood has already reviewed it. They are no significant changes. Darrin asked the Commissioners to sign the agreement.
- Commissioner Somsen motioned to continue the pathology service with the Ada County Coroner's Office thru September 30, 2019. Commissioner Mathews seconded the motion. Motion carried.

**Denise Horsley/Jessica Zander/Eric Hobson:**

- Commissioner Mathews motioned to convene to executive session at 10:21 A.M. pursuant to 74-206(b). Commissioner Somsen seconded the motion. Motion carried. Commissioner Mathews motioned to reconvene to regular session at 10:32 A.M. Commissioner Somsen seconded the motion. Motion carried. No decisions were made.

**Jerri Lynn Harrison:**

- The Harrisons are concerned about the increase in their property taxes. They have been working on an addition to their home for several years. The addition is still incomplete and nobody is residing in the addition.
- Aaron Cook explained that he spoke to Mr. Harrison and was told that they are using the garage, but not the 2<sup>nd</sup> level which is what Mrs. Harrison is referring to as the addition.
- Aaron further explained that the appeal period has expired so he is unable to reduce the taxes himself.
- Commissioner Mathews asked how much their value went up. The value went from \$134,000 to \$202,000. The value included both market value and the additions. Aaron explained that the value without the addition should be approximately \$180,000.
- The Commissioners agreed that they could cancel a portion of the taxes.
- Commissioner Somsen motioned to reduce the taxes due on Parcel Number 010000082470 in the amount of \$493.70. Commissioner Mathews seconded the motion. Motion carried.

**Donna Ledbetter, Indigent:**

- Donna requested the Commissioners release liens on case numbers 2019-01, 2019-02, 2019-03, 2019-04.
- Donna requested the Commissioners sign a standard lien on a new case. The case number is 2019-07.
- Donna has determined that the applicant on case number 2019-06 is not medically indigent, so she is requesting that the Commissioners deny the case.
- Commissioner Mathews motioned to deny Case 2019-05 as the applicant is not medically indigent. Commissioner Somsen seconded the motion. Motion carried.
- On Case 2011-10 an early payoff amount has been requested.
- Commissioner Mathews motioned to reduce the amount owing on case number 2011-10 by 20 percent which is a reduction of \$984.66 if the case is paid off in full. This payoff amount is good until March 1 2019. Commissioner Somsen seconded the motion. Motion carried.

**Lori Anne Lau/Reed Crandall:**

- Mr. Crandall lives in Chesterfield. He felt the response time on the fire that they had this summer was cause for concern.
- Farm Bureau suggested that a rangeland fire protection group be organized to avoid these delays in the future.
- Mr. Crandall explained that in 2012 Idaho passed a law that allows ranchers to work with the BLM on fighting wildfires.
- He feels this would serve a good purpose in this area. He would like the Commissioners to sign a letter of support for his proposal.
- They are having a winter seminar on January 10 2019. They would like one of the Commissioners to attend. The seminar is being held at Tigert Middle School at 5:30 P.M. Dinner will be provided.
- Doug Wood asked how this group would be funded. Lori Anne and Reed explained that the biggest expense is going to be liability insurance. The supplies can be acquired through grants.
- Lori Anne said it should not impact counties and cities getting grant dollars.
- There is a requirement of 40 hours of initial training and 4 hours each year of continuing education that is all provided by the BLM.
- Commissioner Somsen asked what involvement Farm Bureau has with this process. Lori Anne said their only involvement will be attending the seminar.
- They do not foresee this group being formed for the 2019 fire season, but are hopeful for the 2020 fire season.
- Lori Anne said they will try to locate a letter of support template that the Commissioners could sign. She will forward it to Denise and the Commissioners.

**Jeff Hosek:**

- Mr. Hosek is requesting that the road be plowed to his shop on Wide Hollow Road. He explained that he has ran underground power and also got the go ahead from the Commissioners to build a home on this property in the future.
- Mr. Hosek contacted Kim Spencer to thank him for plowing and Kim asked him to get on the Commissioner's agenda to discuss further winter maintenance.
- Commissioner Somsen explained that his road has no winter maintenance provided by the county.
- Mr. Hosek explained that the road got plowed last year because the elk were being fed nearby.
- Commissioner Mathews explained that Mr. Hosek can pay the county to maintain the road for him. Commissioner Mathews said we could check with Kim on what the distance is that we would be maintaining for him and get back with him on the cost.
- Mr. Hosek explained that he is disappointed that this would come at an additional cost. He believes his property taxes should cover the cost. He is not willing to pay an additional amount at this time.

**Bill Volk, BLM:**

- He wanted to attend the meeting today to answer any questions regarding the Caldwell Canyon Mine that P4 is proposing.
- The comment period will end on January 14, 2019. They have a couple of public meetings scheduled between now and then.
- Commissioner Mathews explained that they are fully aware of the economic impact that the mining industry has in Caribou County.
- Mr. Volk explained that they are hoping to get a full environmental impact statement out at the end of February if everything goes as planned. They would like to break ground in May.
- Doug Wood asked if the new mine will bring in any additional jobs. Mr. Volk said his understanding is the workforce will be moved from the Blackfoot Bridge Mine to the new mine. During the initial phase some additional help would be needed to set up the infrastructure.

**Jeff Godfrey, Jon Godfrey, Keller Crane:**

- Keller told the Commissioners that he served on the Planning and Zoning Board in another county. He advised that he would avoid variances and do re-zones instead. Variances, in his opinion, allow the Commissioners to lose control of the zones.
- He is against Krogue's proposal because he doesn't want to see a home built on a piece of ground that is less than 5 acres. He would like to see the Commissioners keep the ordinance that requires at least 120 acres of agricultural ground before a home can be built.
- Commissioner Somsen explained that they also have to consider the growth that is going on.
- Jeff Godfrey said he is also opposed to the proposal. Jeff agrees that new homes should be built, but he is against spot zoning.
- He doesn't believe this spot would be ideal to put a home because it is surrounded by farm ground and the public campground also borders the property.
- Jon Godfrey fears that the property will be advertised as a great place to build a home without placing any focus on the surrounding land uses. He doesn't believe the buyer will understand what they have gotten themselves into.
- Jeff and Jon have spoken to a couple other neighbors that are also opposed to the idea of selling the piece of ground to build a home on.
- Jon suggested that the individuals that purchase the land speak to the Commissioners about getting a variance rather than approving one now for the Krogue's.
- Jeff explained that the Krogue's approached them about purchasing the ground, but they felt like the price was too high. Their main purpose to purchase the ground would be for farm use only.

**JoAnna Ashley, Planning & Zoning:**

- Mayo Krogue Residuary Trust would like a variance. They currently own a 3.5-acre parcel by the China Hat Store that they would like to sell. They would like to sell to someone that would build a new home on the property.

- The Krogue's have been approached by the owners of the China Hat Store showing interest of purchasing the piece of property.
- They would prefer a local citizen purchase the property with the intent to place a single-family dwelling there rather than turn the land into a trailer park.
- Commissioner Somsen asked if anyone is currently leasing the ground. They said not at the current time. The Godfreys leased it a few years back.
- Commissioner Somsen said he agrees with Jon Godfrey that the individuals that purchase the property could decide if a variance is needed or not.
- They would like the variance done now so it can be advertised as a buildable lot.
- JoAnna Ashley explained that the Planning and Zoning Board agreed that the variance should be passed. They looked at the landowner rights and felt like it was a reasonable request. JoAnna further explained that any decision that is made should be based on the characteristics of the property not the ownership. A re-zone carries the most impact and should be the last resort per JoAnna. A variance would limit this to a single-family dwelling with a garage and accessory building.
- Commissioner Mathews motioned to approve the Mayo Krogue Residuary Trust variance request for the land behind the China Hat Store. Commissioner Somsen seconded the motion. Votes were as follows: Mathews – Yes, Christensen – Yes, Somsen – No.
- Michael Steck explained that the size of the pyrotechnics facility will be approximately 9x20. Planning and Zoning's recommendation was that the materials could be manufactured or stored, but not displayed.
- Commissioner Somsen asked if they own the lot adjacent as well. Michael said that he does.
- JoAnna explained that all landowners within 300 feet have been notified by mail and no comments were presented by them in the public hearing.
- JoAnna explained that the ATF requires fire mitigation and final approval will have to come from the governing agency. ATF will not entertain the proposal until the final design is laid out. The ATF could deny even after the Commissioners give their approval.
- JoAnna also explained that the Commissioners also have the option to see the final design before any construction begins. She also pointed out that a 25-foot border is required between the facility and any foliage.
- The building itself is designed and regulated by the AFT to withstand an explosion.
- Commissioner Somsen said he would like to see a list of chemicals that will be stored.
- Commissioner Somsen motioned to approve a conditional use permit for a Bradford Hoopes, A 4 Star Limited Partnership, contingent on the review and approval of the final design. Commissioner Mathews seconded the motion. Votes were as follows: Somsen – Yes, Mathews – No, and Christensen – Yes.
- The last issue for today is Dave and Aneta Smith have requested a variance. They have 39 acres of land that they would like to sell that is currently zoned as agricultural on the Long Valley Road. It

is listed under their business name of Beavertail Incorporated. This would be a variance of 80.50 acres.

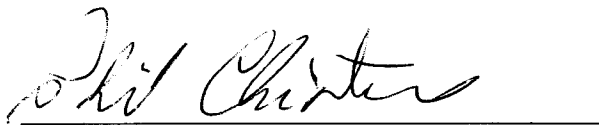
- A lava reef runs thru the section of ground so it would be hard to grow and maintain crops. It also sits up against a hillside.
- Commissioner Somsen recused himself from voting for personal reasons.
- JoAnna Ashley explained that the Planning and Zoning Board recommended that the Commissioners approve the variance. The variance would allow for a single-family dwelling with a garage and accessory building.
- Commissioner Mathews motioned to approve the proposed variance for Beavertail Incorporated. Commissioner Christensen seconded the motion. Motion carried.

**Other:**

- Commissioner Mathews motioned to approve the payroll claims in the amount of \$413,832.79 and pay the claims in the amount of \$140,154.29 and to approve the minutes of November 26, 2018 as presented. Commissioner Somsen seconded the motion. Motion carried.
- Commissioner Mathews motioned to add Planning and Zoning to the agenda. Commissioner Somsen seconded the motion. Motion carried.
- Commissioner Mathews motioned to appoint Regan Phillips and Glayd Christensen to the Planning and Zoning Board as of 01-02-2019. Commissioner Somsen seconded the motion. Motion carried.
- Denise Horsley explained to the Commissioners that we have had multiple requests to trade one of approved holidays for the day after Thanksgiving. She felt that the best one to forfeit would be Columbus Day. The Commissioners agreed on the trade. The Commissioners also agreed to allow employees to have Christmas Eve off this year since it fell on a Monday. This applies only to the offices that can allow their staff to be gone.
- The meeting adjourned at 02:40 p.m. The Caribou County Board of Commissioners will meet January 14, 2019, at 9:00 a.m. for regular meeting.

Signed: Phil Christensen, Commissioner Chairman

Attested: Denise Horsley



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Handwritten signature of Denise Horsley in cursive script, positioned above a horizontal line.

**Approved Payment of Bills**

	<b>10-Dec-18</b>	<b>Payroll</b>
Current Expense	\$ 12,730.66	
Indigent	\$ 3,790.50	
Road & Bridge	\$ 19,363.88	
Special Highway		
Justice	\$ 12,518.04	
Consolidated Election		
Weed Control	\$ 73.28	
Solid Waste	\$ 3,329.40	
Reappraisal	\$ 29.96	
Health	\$ 1,101.70	
Hospital M&O		
Ambulance	\$ 825.47	
Parks & Recreation	\$ 29.90	
Tort		
County Fair	\$ 40,000.00	
County Court Facility		
District Court	\$ 970.50	
Court Services		
Juvenile Justice	\$ 130.94	
Veteran's Memorial	\$ 8,500.00	
Mineral Leasing		
PILT	\$ 17,332.50	
Idaho State Treasurer		
City of Soda Springs		
City of Bancroft		
City of Grace		
Bancroft Cemetery		
Central Cemetery		
Fairview Cemetery		
Freedom Cemetery		
Grace Cemetery		
Lago Cemetery		
Lava Cemetery		
Lund Cemetery		
Thatcher Cemetery		
Turner Cemetery		
School District #148		
School District #149		
School District #150		
School District #21		
Grace Free Library		
TV Translator		
Caribou County Solid Waste		
Waterways		
Odyssey Court Trust		
Tax Deed Excess Funds		
Farmers Land & Irrigation LID	\$ 16,834.62	
Bailey Creek Fire District		
Freedom Fire District		
Auditor's Trust	\$ 40.00	
Odyssey Court Trust	\$ 75.00	
Adult Probation Fee		
Diversion Education Trust		
Juvenile Housing Trust		
Water District		
Court Trust		
Centennial Trust		
College Trust		
Treasurer's Trust	\$ 465.94	
ID Trust		
Concealed Weapon's Trust		
Motor Vehicle Trust		
911 Trust	\$ 1,748.38	
Public Safety Trust	\$ 263.62	
Weed Control Trust		
Drug Court Trust		
Youth Court Trust		
Vessel Account		
<b>Grand Total</b>	<b>\$ 140,154.29</b>	<b>\$ 413,832.79</b>

**CARIBOU COUNTY COMMISSIONER'S AGENDA**

**Date: 12/10/2018**

<b>Time</b>	<b>Name of Person/Party</b>	<b>Concerning</b>
9:00 AM	Bills & Minutes	
9:15 AM	Kim Spencer	Road & Bridge - Crusher Bids - ACTION ITEM
9:30 AM	Eric Hobson / Public Safety	ICRMP Meeting
9:45 AM	Darrin Sim / Coroner	Ada County Contract - Autopsy - ACTION ITEM
10:00 AM	Denise Horsley, Jessica Zander & Eric Hobson	Executive Session - Personnel
10:15 AM	Jerri Lyn Harrison	property tax dispute - ACTION ITEM
10:30 AM	Kelly Wells	Sheriff
10:45 AM	Donna Ledbetter	Indigent - ACTION ITEMS
11:00 AM	Lori Anne Lau / Reed Crandall	Rangeland Fire Protection Association
11:15 AM	Jeff Hosek	Winter road maintenance / via phone
11:30 AM	Bill Volk / BLM	EIS - Caldwell Canyon Mine for Bayer
11:45 AM	Jeff Godfrey, Jon Godfrey, & Keller Crane	discuss P&Z variance
NOON	LUNCH	"
1:00 PM		
1:15 PM		
1:30 PM	JoAnna Ashley - Planning & Zoning	Krogue Residuary Trust - variance to lot size - ACTION ITEM 3 1/2
1:45 PM	"	Bearvertail Inc. - variance to lot size - ACTION ITEM
2:00 PM	"	Bradford Hoopes / Four-Star Limited Partnership - conditional Use for Pyrotechnics Manufacturing and Storage facility - ACTION ITEM
2:15 PM		
2:30 PM		
2:45 PM		
3:00 PM		
3:15 PM		
3:30 PM		
3:45 PM		
4:00 PM		
4:15 PM		
4:30 PM		
4:45 PM		
5:00 PM		

OTHER BUSINESS: Executive Session I.C. (74-206)

B.O.E.

sign Road & Bridge annual report - ACTION ITEM

Holiday schedule - ACTION ITEM