

**COMMISSIONER MEETING OF November 9, 2020**

The Caribou County Commissioners met in regular session on November 9, 2020 at 9:00 a.m. Those in attendance, Commissioner Chairman Phil Christensen, Mark Mathews and Bryce Somsen Commissioners. Also, in attendance were Caribou County Clerk Denise Horsley, Deputy Clerk Tisha Young, Jessica Zander, Caribou County Prosecutor Doug Wood, Road and Bridge Supervisor Kim Spencer, Leadman Brett Barfuss, Caribou County Landfill Supervisor Jayson Lower, Indigent Director Kim Holsten, Caribou County Sheriff J. Adam Mabey, Planning & Zoning Director JoAnna Ashley, Caribou County Assessor Aaron Cook, GIS Director Jacob Farnes, Russ Roper, Sandra Thoen, Susan Cronquist, Dillon Liechty, Darley Von Vandergriff, Jackie Barthlome, Bruce Olenick, Reed Crandall, and John Lau.

The meeting opened with Caribou County Commissioner Bryce Somsen giving the pledge of allegiance and prayer.

**Kim Spencer, Road and Bridge:**

- The Road and Bridge crew started their split shifts today.
- Both graders that Kim ordered are here. They are each lease returns as planned.
- The reimbursement for the completed bridges and bypass project will be \$30,000, which leaves the cost to the county approximately \$29,000.
- Kim explained that we will be sharing the cost with Lincoln County to chip seal the State Line Road. We will be covering 1 ½ miles.
- Commissioner Somsen asked if yellow lines could be painted on the State Line Road from the intersection of Highway 34 to the Freedom LDS Church. Kim will check with Lincoln County.
- The main roads on Kim's list for chip sealing next year are Eight Mile Road, River Road, Old Highway 30 from the Caribou County line to Bancroft, and State Line Road.

**Angie Mendenhall, Treasurer:**

- Angie was unable to attend.

**Kim Holsten, Indigent:**

- Kim presented a release of medical lien for the Commissioners to sign. The appeal period has expired for the applicant.
- Kim also requested that the Commissioners sign off on Indigent assignment for the Catastrophic Board.

**Dwight Lloyd, Weed:**

- Dwight was unable to attend.

**Aaron Cook, Assessor:**

- They implemented the new CIS system in the motor vehicle department on October 12. They have experienced some technical problems that have caused frustration for both the public and the employees. The main problem is the amount of time it is taking to process registrations.
- Individuals are also receiving registration notifications by mail that are not the correct amounts. Some of them are as low as \$4.00. Each time someone brings the mailers into the Courthouse, the DMV employee has to call the IDOT and is on hold for up to one hour.
- The State of Idaho is now offering to pay back some additional overtime the employees are having to work to attempt to catch up on the registrations. They will reimburse us 24 hours per employee for extra time worked between November 1 and January 15.

**J. Adam Mabey, Sheriff:**

- Sheriff Mabey explained that they have had some changes in staff at the Sheriff's Office. Veronica Athay has replaced Jodi Suter. Tami Shurtleff has filled Veronica's position. As a result of the changes in staff, there is an opening in the detention department. Sheriff Mabey is thinking about opening the detention position up to all county employees.
- Sheriff Mabey introduced his new Chief Deputy. His new employee is Russell Roper. He has an extensive background in law enforcement. He is also very familiar with the Spillman system that is utilized at the Sheriff's Office. Russell's official first day with us is today.
- Commissioner Somsen asked how things are going with the IT side of things at the Sheriff's Office. Sheriff Mabey said things are slightly better; however, he is still working on getting things all set up with the Spillman system.
- Sheriff Mabey is considering asking for a part-time IT person for the Sheriff's Office during the next budgeting cycle. He doesn't believe a full-time position is needed.

**Sandra Thoen and Susan Cronquist:**

- Sandra is the Guardianship and Conservatorship Monitoring Coordinator for the Idaho Supreme Court assigned to the Sixth District.
- Susan Cronquist is the supervisor for adult protective services for this region.

- Sandra explained that they would like Caribou County to join up with other surrounding counties to form a quad county board of community guardians . She feels like there is a desperate need for a board to be formed.
- They encounter individuals on a regular basis that cannot represent themselves for various reasons.
- They have already visited with both Franklin and Oneida County. They are both in favor of participating.
- Susan explained that in her 25 years in this field, she has encountered a lot of individuals that lack the capability of making sound decisions. Some do not have any family member or close friends that can serve as their guardian/conservator. This results in an independent entity having to come forward to assist.
- Doug Wood agreed that there is a definite need in this area for this.
- Sandra explained that there are statues in place for budget purposes and also statutes that support this action.
- Commissioner Somsen asked how many people they would like to serve on the board. Sandra said they need a total of 11 people between all 4 counties. They would prefer a good cross-section of board members.
- Commissioner Somsen asked how often the board would meet. The meetings could be monthly or quarterly.
- The Commissioners suggested that Susan and/or Sandra attend the upcoming 4-county meeting this month. They will call Cindy Garner at Bear Lake County to get on the agenda.

#### **Planning & Zoning Public Hearing:**

- Commissioner Mathews motioned to enter into a public hearing at 10:48 a.m. Commissioner Somsen seconded the motion. Motion carried.
- JoAnna Ashley explained that the first request is for a variance to the 100-foot front yard setback requirement. The request has been brought forward by Dave Barthlome who resides on Thatcher Cemetery Road.
- JoAnna further explained that the pole barn has already been constructed without a building permit being issued. However, Dave recently contacted JoAnna to settle up on the building permit.

- JoAnna conducted a site visit and noted hardships on the layout and usage of the land. She noted the vegetation appears to indicate the land has more ground water than normal and the area where the structure has been built sits on a slant. It is easy to visually see that the support poles on the structure get shorter and shorter the further west they go. The Google Earth imagery supports the flooding potential.
- JoAnna also contacted Rocky Mountain Power to make sure that the structure does not infringe on utility easements. Rocky Mountain Power had no issues with the existing easement.
- Kim Spencer also performed a site visit. In his opinion, the structure placement is fine. He didn't think it would pose an issue with traffic flow or visibility.
- JoAnna recommends the Commissioners approve the variance request. The Planning and Zoning Commission recommended the variance be approved as presented due to the land characteristics.
- Commissioner Somsen motioned to approve the 92 ½ foot variance to the 100-foot front yard setback and a 97-foot side yard setback requirement for agricultural buildings for Dave Barthlome as recommended by the Planning and Zoning Commission due to the hardship and land characteristics. Commissioner Somsen stated the structure is the best use for the land. Commissioners Mathews seconded the motion. Motion carried.
- JoAnna presented the second request on the agenda. The request has been brought forward by Carrie Yost. They would like the Commissioners to approve a conditional use permit for a home at 1278 Welch Road to be used as a short-term rental.
- They have already been using the home as a short-term rental without realizing that they were required to obtain a permit. The home sits in an agricultural zone.
- JoAnna has received an E-mail from Corry Hatch concerning this request. He is a neighbor directly South to the rental home. They have had problems with some of the tenants consuming alcohol and being disorderly. There has been at least 2 incidences of this happening that resulted in law enforcement getting involved. The Hatch's said they are also concerned because individuals staying in the home have also parked in their driveway. The Yost Family said they will place more signage so tenants will know where parking is allowed.
- In response to the complaint, the Yost's have updated rules for the home. The tenants are limited to single family use only with no parties or large gatherings. The guest limit is 7 occupants. The tenants will also be made aware that if they violate these terms their \$500 deposit will not be refunded.

- During the Planning and Zoning meeting the Yost Family and the Hatch Family discussed making the recommended changes and see how the first year goes. The Planning and Zoning Commission said that seemed like a good idea.
- The Planning and Zoning Board recommended their request be approved with the conditions of signage and new tenant rules being recognized.
- Commissioner Somsen motioned to approve the conditional use permit for Carrie Yost for a short-term rental at 1278 Welch Rd which sits in an agricultural zone. This approval comes with a 1 year stipulation to make sure the maximum 7 tenant rule is being met and proper signage is placed as recommended by the Planning and Zoning Commission. Commissioner Mathews seconded the motion. Motion carried.
- Commissioner Mathews motioned to reconvene to the regular meeting at 11:11 a.m. Commissioner Somsen seconded the motion. Motion carried.

#### **Caribou Memorial Hospital:**

- Commissioner Mathews explained that he did get a response in regards to the Commissioner's request that they covered in the last meeting. However, the matrix they received is generic and is not broke down like he asked. He would still like to see a breakdown of salaries.
- Dillon said he thought there was another attachment in the same E-mail that was a better breakdown. The Commissioners may have not received the other attachment. The hospital has been having some computer issues since they did a Microsoft update.
- Dillon will check to see if he can track down the other part of the E-mail so the Commissioners can review it.
- Commissioner Mathews motioned to adopt the Memorandum of Understanding between Caribou County and Caribou Memorial Hospital to start the process of transferring the organization to a 501(c)(3). Commissioner Somsen seconded the motion. Motion carried with Commissioner Christensen voting yes, Commissioner Somsen voting yes and Commissioner Mathews voting no.

#### **Bruce Olenick, IDEQ:**

- Bruce said the biggest piece in Caribou County is the formation of the IDAWY Solid Waste District. He is thankful to see the progress that is being made on getting this done.

- Bruce explained that we are seeing a lot of development in Idaho especially in rural areas of counties such as Bear Lake, Pocatello, and Chubbuck. The main concern is drinking water and septic systems.
- Bruce explained their goal is to provide good education so people can place focus on what could happen in the future. We have to protect the drinking water.
- Bruce said they are not against development, but they want people to think the process through.

**Reed Crandall:**

- Reed is trying to get expanded Internet service in the Chesterfield area. He has been in communication with Direct Communications. Dan Parrish with Direct Communications told him that the only way to accomplish this is to band several individuals together. He had to sign an agreement with Direct Communications that he can't provide service in their service area.
- He has started his own company which is called 3C Wireless.
- He is planning to start small, approximately 15 customers, and see what happens with further demand.
- His towers will only be a maximum of 20 feet tall. He will make sure he records a utility easement.

**John Lau:**

- John is requesting the need for a \$300 address for an agricultural shed. The fee seems high considering the use of the shed.
- Commissioner Somsen said the main concern with not having an address assignment is in the event of emergency services being needed.
- John further explained that in the future he would like to build another agricultural shed approximately a mile away from the one he is currently building and does not want to have to pay another \$300 for another one since they sit on the same parcel of ground all owned by him.
- Aaron Cook explained that as the rule stands right now, a new address is not required as long as the structures are agricultural and are within a one-quarter mile of each other.
- Aaron further suggested the address marker could be placed at the gate. Another option would be to place the address marker at the headquarters further into the property and name the private road. Aaron advised that they should provide some clear rules so that everyone is treated the same.

## CARIBOU COUNTY COMMISSIONER'S AGENDA

**Date: 11/9/2020**

ACTION ITEMS / BUSINESS

Time	Name of Person/Party	Concerning
9:00 AM	Bills & Minutes	
9:15 AM	Kim Spencer	Road & Bridge
9:30 AM	Angie Mendenhall / Kim Holsten	Treasurer payment drop box / Indigent
9:45 AM	Dwight Lloyd	Weed Control
10:00 AM	Aaron Cook	ITD refund
10:15 AM	J. Adam Mabey	Sheriff
10:30 AM	Sandra Thoen - Idaho Supreme Court	Potential support / Four County Comm. Board of Guardians
10:45 AM	P & Z Public Hearing	David Barthlome Variance
11:00 AM		Carrie Yost conditional use short term rental
11:15 AM	Caribou Memorial Hospital	M.O.U.
11:30 AM		
11:45 AM	Bruce Olenick - D.E.Q.	Semi-annual Update
Noon	LUNCH BREAK	
1:00 PM		
1:15 PM	Reed Crandall	Wireless Internet Provider for Chesterfield
1:30 PM	John Lau	new address on Ag building
1:45 PM	Canvass November Election	
2:00 PM	Jayson Lower	Landfill
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.

Certificate

Anyone needing special assistance to attend the above noticed meeting should contact the Clerk's Office at (208)547-4324.

**Approved Payment of Bills**

11/9/2020	Claims	Payroll
Current Expense	\$ 236,566.20	
Indigent	\$ 5,135.47	
Road & Bridge	\$ 12,387.19	
Special Highway		
Justice	\$ 14,575.54	
Consolidated Election		
Weed Control	\$ 2,256.24	
Solid Waste	\$ 37,564.19	
Reappraisal	\$ 4,849.95	
Health	\$ 1,301.89	
Hospital M&O		
Ambulance	\$ 698.33	
Parks & Recreation		
Tort		
County Fair		
County Court Facility		
District Court	\$ 1,612.82	
Court Services	\$ 911.57	
Juvenile Justice	\$ 484.22	
Veteran's Memorial		
Mineral Leasing		
PILT	\$ 12,000.00	
Waterways		
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		
Water District		
TV Translator		
Solid Waste		
Bailey Creek Fire District		
Freedom Fire District		
Auditor's Trust		
Odyssey Court Payments		
Adult Probation Fee		
Diversion Education Trust		
Juvenile Housing Trust		
Range Improvement Trust		
Court Trust		
Centennial Trust		
College Trust		
Treasurer's Trust	\$ 30,226.09	
ID Trust		
Concealed Weapon's Trust		
Motor Vehicle Trust		
911 Trust	\$ 2,599.77	
Public Safety Trust	\$ 278.92	
Weed Control Trust		
Drug Court Trust		
Youth Court Trust		
Vessel Account		
<b>Grand Total</b>	<b>\$ 363,448.39</b>	<b>\$ 313,203.25</b>

FY 20 230,608.76  
FY 21 132,839.63



- Commissioner Christensen said it make more sense to place the address marker at the gate where it would be more visible.
- Commissioner Somsen motioned that if the landowner has a private lane that goes into a parcel of agricultural land agricultural structures can be addressed off of one point if no other structures already exist. All subsequent agricultural buildings can be addressed from the primary agricultural structure. Commissioner Christensen seconded the motion. Motion carried. Commissioner Mathews was not present for the motion.

**Canvass November Election:**

- Commissioner Mathews motioned to approve the November 3 election results. Commissioner Somsen seconded the motion. Motion carried.

**Jayson Lower, Landfill:**


- They had an increase in tonnage at the landfill of 65 ton in September and 17 ton in October.
- In comparing tonnage to last year, we are currently sitting at an increase of 883 tons.
- Jayson is tracking expenses from October 1 to December 31 and IDAWY Solid Waste District will reimburse these expenses back to the county.

**Other:**

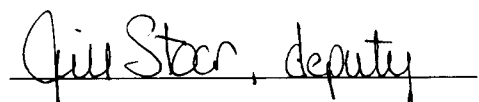
- Commissioner Somsen moved to pay the claims for FY2020 in the amount of \$230,608.76, claims for FY2021 in the amount of \$132,839.63 and payroll claims in the amount of \$313,203.25 and to approve the minutes of October 26, 2020 as presented. Commissioner Mathews seconded the motion. Motion carried.
- Commissioner Mathews motioned to approve the certificate of residency for the named individual. Commissioner Somsen seconded the motion. Motion carried.
- The meeting adjourned at 2:25 p.m. The Caribou County Board of Commissioners will meet November 23, 2020 at 9:00 a.m. for regular meeting.

Signed: Phil Christensen, Commissioner Chairman

Attested: Denise Horsley




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