

**COMMISSIONER MEETING OF September 9, 2019**

The Caribou County Commissioners met in regular session on September 9, 2019 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 Jessica Zander, Caribou County Prosecutor Doug Wood, Road and Bridge Supervisor Kim Spencer Leadman Brett Barfuss, Planning & Zoning Secretary JoAnna Ashley, Weed Supervisor Dwight Lloyd, Landfill Supervisor Jayson Lower, Building Inspector Blake Poulsen, Caribou County Treasurer Angie Mendenhall, Caribou County Assessor Aaron Cook, Nick Johnson, Laura Johnson, Norman Johnson, Paul Gritton, and Chris Thomas.

The meeting opened with the pledge of allegiance and prayer.

**Kim Spencer, Road and Bridge:**

- Kim received the appraisal for the 1990 International. The value is \$15,000. The City of Bancroft has shown interest in purchasing it. Kim asked if the Commissioners are in agreement to sell it. They said if he has no use for it to go ahead and sell it.
- Commissioner Christensen noticed the crusher is putting out a lot of material. Kim said he is impressed with the output and that they are now able to stockpile in all the places that they need to.

**Public Hearing/Planning & Zoning:**

- Commissioner Mathews motioned to enter into a public hearing to discuss a variance request for the LaHaye family. Commissioner Somsen seconded the motion. Motion carried.
- JoAnna Ashley explained that the LaHaye family would like a 38-acre variance request. Planning and Zoning approved their request based on the hardship due to the bank having acre requirements.
- Mrs. LaHaye said they would have liked to be able to build a home on a 40-acre parcel, but due to financial requirements and limitations they are not able to.
- Mrs. LaHaye said none of their neighbors have voiced any concerns with their variance request.
- Commissioner Somsen motioned to approve the 38-acre variance application for the LaHaye family. The property address is 2861 Nipper Road in Chesterfield Idaho. The application is being approved due to a financial hardship and bank restrictions. Commissioner Mathews seconded the application. Motion carried.

**Dwight Lloyd, Weed Supervisor:**

- It has been brought to Dwight's attention that he should have a rinse aid station. He was not aware of this until recently. Dwight will find out more about the details on this and report back to the Commissioners on what the specific rules and regulations are.
- Commissioner Somsen asked Dwight if he is willing to plow snow this coming winter. Dwight replied saying that he would like to have extra time this winter to customize his new truck, but he is willing to help plow snow.
- Commissioner Mathews motioned to convene to executive session at 9:52 P.M. pursuant to I.C. 74-206(b). Commissioner Somsen seconded the motion. Motion carried.
- Commissioner Mathews motioned to reconvene to regular session at 10:00 A.M. Commissioner Somsen seconded the motion. Motion carried. No decisions were made.

**Jayson Lower, Landfill:**

- The 963 is back in the shop. The repairs will be covered under warranty.
- Jayson has been reviewing what funds he has left for the FY2019 budget. He has funds to cover the lighting upgrade of \$3300 and the computer upgrade will be under \$1000. He is also planning to have some tires recapped at an approximate price of \$1800. He is being very conservative in his spending through the regional landfill process.
- Commissioner Mathews motioned to convene to executive session at 10:04 A.M. pursuant to I.C. 74-206(b). Commissioner Somsen seconded the motion. Motion carried.
- Commissioner Somsen motioned to reconvene to regular session at 10:10 A.M. Commissioner Mathews seconded the motion. Motion carried.
- Commissioner Mathews motioned to terminate Frank McCalister effective today due to failure to comply with county policies and procedures. Commissioner Somsen seconded the motion. Motion carried.

**Kelly Wells, Sheriff**

- Sheriff Wells was unable to attend the meeting.

**JoAnna Ashley, Planning & Zoning:**

- JoAnna wanted to point out a few things mentioned in the code enforcement policy.

- First thing is complaints can be flagged. For example, if land sells, the future owner has no governmental rights until the problem is resolved.
- The \$100 fine per day can lead to misdemeanor court action. A lien can also be placed on the property until all the fines are paid.
- JoAnna noted that buildings with historical value are excluded from the policy. She also added that smells associated with fertilizing fields are excluded due to agricultural use.
- The county can opt to waive the fees if the landowner is willing to get into compliance or honestly didn't realize that they were not being compliant.

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

- Commissioner Somsen motioned to convene to executive session @ 11:26 A.M. pursuant to I.C. 74-206(e). Commissioner Mathews seconded the motion. Motion carried.
- Commissioner Somsen motioned to reconvene to regular session at 12:04 P.M. Commissioner Mathews seconded the motion. Motion carried.
- Chris Thomas explained that they would again like to get an unsecured revolving line of credit with a limit of \$750,000 commencing on or after October 1, 2019 and expiring on or before Caribou Memorial Hospital's fiscal year end of September 30, 2020 with additional terms and rates to be negotiated. She said this is treated as emergency funds.
- Commissioner Mathews motioned the approval of Caribou Memorial Hospital securing a line of credit for \$750,000 with Zions Bank commencing on or after October 1 2019 and expiring on or before Caribou Memorial Hospital's fiscal year end of September 30 2020 with additional terms and rates to be negotiated. Commissioner Somsen seconded the motion. Motion carried.

#### **Planning & Zoning:**

- Nick Johnson explained that they farm down in the Grace area. They are having a machine shed put up on their farm ground at the corner of Turner and Mountain Road.
- Nick tried to call JoAnna when they started this process for guidance and she was unable to be reached. Nick then reached out the Reagan Phillips since he is on Planning and Zoning. Nick's understanding on the setbacks is you measure from the center of the road rather than starting at the edge of the right of way as the new ordinance states. He also stated that the new ordinance is very confusing.

- They came to the courthouse on July 2 to fill out their building permit. Nick said he told Blake that they are ready to go anytime. They didn't provide Blake with a specific date when they would be pouring the cement.
- He said they had the cement poured, then on August 20 they received a call that they needed to stop any further process.
- Commissioner Mathews said that the Commissioners realize that there is a mix up. He further explained that the only two options are to move the building or apply for a variance.
- Norm Johnson said that they were under the impression that the setback was 50 feet. JoAnna explained that the setback is 80 feet. He also said they wanted to use their existing driveway, they were trying to avoid having to build another entrance.
- Nick explained that digging up the cement would be costly. They have \$22,000 into the project so far per Norm.
- Blake told Nick that he told him to call him before he had the cement poured. Nick claims that Blake had stated that he didn't have any time to come measure the setback area. Nick stated that they would have had no problem moving the flags over if they would have known that they needed to. Nick said Blake should have come and measured the setbacks when he issued the permit. To his understanding, that is part of the building inspector's responsibilities.
- Blake explained to Nick that Kim Spencer looked at the placement of the building and he does not think it will be a safety issue for traffic.
- Doug Wood explained that if they want to do a variance request, we will have to hold a public hearing. Doug also explained that we can waive the fees associated with the variance request. The final decision will be made on October 14 during the Commissioners regular meeting after their variance request is heard at the next Planning and Zoning meeting.
- The Johnson's agreed to proceed with the variance process.

#### **Planning & Zoning:**

- JoAnna Ashley received a phone call last week from Ron Miller with Always on High Speed Internet in Pocatello. They are trying to offer rural areas better internet. They will need to install some small towers in Chesterfield and Thatcher. They are installed on the side of the road and are no bigger than a telephone pole.

- JoAnna asked if he would need to require a standard building permit or follow the cell phone tower rules.
- Commissioner Christensen said we should make things as simple as possible because Internet is a crucial element to society. The other two Commissioners agreed.
- JoAnna also discussed the zone amendment ordinance. She has been working with Kim Spencer to get his feedback.
- Kim would like a 100-foot setback with large agricultural buildings. He said this is realistic when trying to turn around semis. Kim also wanted it added that hay or straw bales cannot be stacked in the setback area.
- She has also provided a descriptive triangular definition in the agricultural zone.
- Nobody will be able to build until they have a zone certification. JoAnna believes this will take care of a lot of issues.
- Commissioner Mathews motioned to adopt Resolution 2019-08 as the County code enforcement policy Commissioner Somsen seconded the motion. Motion carried.

**Other:**

- Commissioner Mathews moved to pay the claims in the amount of \$148,927.75 and payroll claims in the amount of \$179,132.29, and to approve the minutes of August 26, 2019 as presented. Commissioner Somsen seconded the motion. Motion carried.
- The Commissioners signed two resolutions. They were from discussions in the prior meeting when the Commissioners approved the upcoming budget year and to transfer funds from one fund to another.
- The meeting adjourned at 02:10 p.m. The Caribou County Board of Commissioners will meet September 23, 2019 at 9:00 a.m. for regular meeting.

Signed: Phil Christensen, Commissioner Chairman

Attested: Denise Horsley




Approved Payment of Bills		
9-Sep-19	Claims	Payroll
Current Expense	\$ 39,266.84	
Indigent	\$ 6,309.13	
Road & Bridge	\$ 24,915.61	
Special Highway		
Justice	\$ 15,578.64	
Consolidated Election		
Weed Control	\$ 24,737.06	
Solid Waste	\$ 4,670.88	
Reappraisal	\$ 47.63	
Health	\$ 1,060.45	
Hospital M&O		
Ambulance	\$ 2,292.61	
Parks & Recreation		
Tort		
County Fair		
County Court Facility		
District Court	\$ 2,214.88	
Court Services		
Juvenile Justice	\$ 1,442.04	
Veteran's Memorial	\$ 653.20	
Mineral Leasing	\$ 8,957.83	
PILT	\$ 986.34	
Idaho State Treasurer		
School District #148		
Central Cemetery		
Fairview Cemetery		
Freedom Cemetery		
Grace Cemetery		
Lago Cemetery		
Lund Cemetery		
Thatcher Cemetery		
Turner Cemetery		
School District #149		
School District #150		
School District #21		
City of Soda Springs		
City of Bancroft		
City of Grace		
Bancroft Cemetery		
Lava Cemetery		
Grace Free Library		
TV Translator		
Caribou County Solid Waste		
Bailey Creek Fire District		
Freedom Fire District		
Waterways		
Tax Deed Excess Funds		
Farmers Land & Irrigation LID		
Bailey Creek Fire District		
Freedom Fire District		
Auditor's Trust	\$ 40.00	
Road & Bridge Trust		
Odyssey Court Payments	\$ 2,004.00	
Adult Probation Fee		
Diversion Education Trust		
Juvenile Housing Trust		
Water District		
Court Trust		
Centennial Trust		
College Trust		
Treasurer's Trust	\$ 1,712.02	
ID Trust		
Concealed Weapon's Trust		
Motor Vehicle Trust		
911 Trust	\$ 1,737.41	
Range Improvement	\$ 303.93	
Public Safety Trust	\$ 367.25	
Weed Control Trust	\$ 9,630.00	
Drug Court Trust		
Youth Court Trust		
Sheriff's Sale Excess Funds		
Soft Cost & Video Arraignment		
Vessel Account		
<b>Grand Total</b>	<b>\$ 148,927.75</b>	<b>\$ 179,132.29</b>

**CARIBOU COUNTY COMMISSIONER'S AGENDA**

**Date: 9/9/2019**

**ACTION ITEMS / BUSINESS**

<b>Time</b>	<b>Name of Person/Party</b>	<b>Concerning</b>
9:00 AM	Bills & Minutes	
9:15 AM	Kim Spencer	Road & Bridge
9:30 AM	Public Hearing - P&Z	Lahaye Variance Request
9:45 AM	Dwight Lloyd	Weed Control
10:00 AM	Jayson Lower	Landfill
10:15 AM	Jayson Lower	Executive Session I.C.(74-206b)
10:30 AM	Kelly Wells	Sheriff
10:45 AM	Planning & Zoning	Code Enforcement Resolution
11:00 AM	Planning & Zoning	Johnson Permit
11:15 AM		
11:30 AM	Caribou Memorial Hospital	Executive Session I.C.(74-206e)
11:45 AM		
NOON	LUNCH	
1:00 PM		
1:15 PM	Planning & Zoning / Ron Miller	Internet Towers to service Rural Areas
1:30 PM	Planning & Zoning	Setbacks for all zones, Subdivision Ordinance
1:45 PM		
2:00 PM		
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.**

**Resolution for code Enforcement Policy**

**ID Dept. Commerce Amendment**

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