

**COMMISSIONER MEETING OF October 25, 2021**

The Caribou County Commissioners met in regular session on October 25, 2021 at 9:00 a.m. Those in attendance were:

Mark Mathews, Commissioner (by phone)	Tony Brown
Bryce Somsen, Commissioner	Cody Cole
Marty McCullough, Commissioner	Bryce Griffiths
Denise Horsley, Clerk	Chad Bybee
Jill Stoor, Deputy Clerk	Vaughn Cook
Kim Spencer, Road & Bridge	Aaron Cook
Brett Barfuss, Road & Bridge	Hayley Meyers
Eric Hobson, Public Safety	Babe Meyers
JoAnna Ashley, Planning & Zoning	Jerry Lakey
J. Adam Mabey, Sheriff	Suzie Nelson
Lucetta Holt, Senior Center	Jim Russell
Jacob Farnes, IT/GIS	Angie Mendenhall
Patrick Kinney	Darin Letzrin
Stephanie Kinney	General Brad Richy
JoAnna Ashley	Todd Torgesen
Morris Cole	Kathy Jo Torgesen
Jerry Brown	Dow Barker
Cleston Godfrey	Chris Leatherman
Wes Brown	

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

**Agenda addition:** add E911 grant application to the agenda.

**Kim Spencer, Road and Bridge:**

- Kim would like to run power to the chloride tanks and the east end of the sand shed to have a light installed. They would be able to do all the work themselves and bring in an electrician to tie it in. Commissioners gave approval.
- Oil prices are estimated at least \$100 more per ton. He will have firmer prices in February. Rinehart was able to come up with a blend that matches the oil they have been using which will allow us to order from them at a similar cost.

**Angie Mendenhall, Treasurer:**

- Angie requested approval to cancel taxes for the homeowner exemptions that have signed up since the assessor has completed his values. With the new law in effect, she is current looking at canceling 20 parcels valued at total of \$975,947 and \$13,991 in taxes calculated at last year's levy rate.  
Commissioner McCullough motioned to allow the treasure permission to cancel all 2021 taxes for the homeowner's exemptions grated after the values were set. Commissioner Somsen seconded the motion. Motion passed.
- Angie has also done research and learned that the county is FDIC insured up to \$750,000, \$250,000 per custodian of the county. This will allow her to keep the ARPA funds locally in a money market account and be fully insured.

**Jacob Farnes, IT/GIS:**

- The IT and GIS departments have been working directly with Motorola to deploy the new dispatch server. They have had router failures at the Sheriff's office as well as the courthouse, but have been able to make those repairs at the Sheriff's Office and is scheduling the repair with Computer Arts for the installation at the courthouse.
- Jacob and Ally have been training to take care of GIS updates for the dispatch center.
- He is still planning to replace the email server, but will most likely be doing that upgrade toward the end of the 2022 fiscal year.
- Commissioner Somsen questioned Jacob on some issues with his iPad that he uses for commissioner work. After discussion of models, it was determined that the best practice would be to purchase new.

**J. Adam Mabey, Sheriff:**

- Sheriff Maybe gave a report on the high-speed chase that began in the county last week. The Chief Deputy had the original contact with the suspect here in town. After giving a false name, the suspect left the scene and fled. He was followed and shots were fired in city limits. The high-speed chase continued on Highway 30 through Lava to McCammon where with assistance from other

agencies, PIT maneuvers were performed to stop the suspect. After threats to law enforcement from the suspect, he was shot and killed. No shots were fired by the Sheriff or Deputies of Caribou County. An investigation is ongoing through the Eastern Idaho Critical Team.

- The jail has increased to 33 inmates. The Jail Commander has worked with Ada County to take on their IDOC inmates and they hope to continue with those increased numbers.
- The Sheriff's Office still has one employee with COVID. He is improving, but Sheriff requested to extend his pay for the next two weeks.

Commissioner McCullough motioned to extend 2 weeks of COVID relief pay for a deputy at the Sheriff's office. Commissioner Somsen seconded the motion. Motion passed.

- They have found a Ford Expedition from Summit County that is under lease with our same lease provider. We have secured it to replace the damaged Tahoe.

#### **Kim Holsten, Indigent:**

- Kim presented county application 2021-08 to the commissioners with a recommendation to deny due to income guidelines.

Commissioner McCullough motioned to deny indigent claim 2021-08. Commissioner Somsen seconded the motion. Motion passed and the commissioners signed the denial letter.

#### **Eric Hobson, Public Safety:**

- The Emergency Management Preparedness grant program has had an increase due to ARPA funds being available. They ask for a 50% match to access that money. Eric would like to take advantage of the opportunity and purchase four new radios for EMS services at an approximate cost of \$2800 each. He has the matching funds available in his budget. Both commissioners agreed to move forward.
- No significant changes to report on the pandemic. The community spread is about the same at 10 to 15 per week.

#### **JoAnna Ashley, Planning & Zoning / Public Hearing:**

- Commissioner McCullough motioned to convene a public hearing to consider the Meadowville Ranch LLC Conditional Use Permit application for a private RV campground at 2689 Meadowville Road. Commissioner Somsen seconded the motion. Motion passed.



- JoAnna gave an overview of the application stating that the owners of Meadowville Ranch, LLC are Patrick & Stephanie Kinney. The conditional use permit would allow the establishment of a private campground with three RV spots. They have previously held a public hearing with Planning & Zoning where the application was recommended for approval with four conditions including 1) adequate insurance policy, 2) limited to three RV spots, 3) removal of the 5 extra water spickets, and 4) fires are limited. She showed site plans as well as discussed the public input heard by the Planning & Zoning board.
- Public Input:

Angie Mendenhall questioned the acreage owned by the Kinneys. They own just shy of 7 acres.

Marty McCullough questioned the allowance of a second septic system. This would be similar to an accessory cottage which allows 2 systems on one parcel.

Jerry Brown stated his concerns. His family farms next to 3 subdivisions as well as several clusters of home. He encourages some kind of buffer zone; stating that it is difficult to carry on normal farming applications with development. He is not 100% opposed to the proposal but is concerned with the future of the county if we do not limit these types of permits in the agricultural zones. He is concerned with the enforcement of the condition use permits and who is responsible to make sure the rules are being followed. Mr. Brown also took the opportunity to personally thank the commissioners for the recent improvements to Government Dam Road.

Patrick Kinney spoke to the concerns about fires and garbage. He assured all that his is just looking to have a place for friends and family to enjoy.

Bryce Griffiths asked about the septic concern allowing more than one system on a 5-acre parcel. JoAnna explained that the health department sets those regulations and an RV is considered the same as a 2-bedroom home and is calculated at 75 gallons per day. The health department bases those permits on the number of bedrooms and not on the square footage of a home.

Wes Brown shared his concerns with people building and developing before going through the permit process. He is concerned that a precedence is being set to quickly allow variances.

Chad Bybee stated that he is not necessarily opposed to a family RV park, but is concerned about fire issues. He encouraged the commissioners to set good a precedence and follow through.

Morris Cole said that can understand if it is only family. His worry is with fires and ATV damage in the adjacent farm fields.

Angie Mendenhall spoke again to suggest that the Conditional Use Permit be limited to the current owners.

Cleston Godfrey stated that he had similar concerns as the others who have spoken. He is worried about the precedence set and asked if the commission has the ability to regulate future permits. Commissioner Somsen stated that each application would have to be considered individually and that there are standards that need to be met before approval.

Angie Mendenhall added that her concerns include the adjacent landowners being the ones responsible to police these conditional use permits. She doesn't feel it should be the landowner's responsibility to tattle on their neighbors.

- Commissioner Mathews motioned to approve the condition use permit #2021-10a for Meadowville Ranch, LLC for a private RV campground with the following 5 conditions:
  1. Adequate insurance is provided.
  2. There are only three RV spots utilized.
  3. The remaining water spickets are removed.
  4. Fires are limited to snow covered times.
  5. The conditional use permit is non-transferable.

Commissioner Somsen seconded the motion. Commissioner McCullough voiced his opposition because he is concerned with setting a precedence of scattering these campgrounds throughout the county. Commissioners Mathews and Somsen voted aye. Commissioner McCullough voted nay. Motion passed.

Commissioner McCullough motioned to come out of public hearing at 10:32 a.m. Commissioner Mathews seconded the motion. Motion passed.

#### **JoAnna Ashley, Planning & Zoning / Public Hearing:**

- Commissioner McCullough motioned to convene a public hearing at 10:35 a.m. to consider application #2021-10b for the Barley Meadows Subdivision conceptual plan.. Commissioner Mathews seconded the motion. Motion approved.
- JoAnna gave an overview of the application for the proposed subdivision of 48 lots with a limit of 5 acres in size. The location is east of Soda Springs off of Gunnel Road and on the north side of Highway 30. The building will consist of 3 phases with the possibility of septic systems and private wells or a community water and septic system. At the Planning and Zoning meeting no one was completely opposed, but concerns were raised on ground water issues. The Planning & Zoning

board recommended to approve the subdivision with the condition that a nutrient pathogen study is completed or a community system is installed, that the CC&Rs restrict the development of single-family homes, short-term rentals are prohibited, restrictions be set on the number of animals per lot, the lots along the highway have a fence along the south end, and the road name be changed.

- Public Input:

Doug Wood questioned the legal descriptions on the plat map; an explanation clarified that question.

Babe Myers state that the goal is to complete the infrastructure in one year, but it is a big project so they broke it into phases. From phase 1 to phase 3 is a mile in distance. The goal was to continue farming the future phases if possible. He has spoke with the DEQ and they did not seem to have a problem with lots that are over 5 acres. He said they would be willing to come and do a site visit to offer recommendations and possibly forego the study that the Planning and Zoning recommended.

Larry Simmons spoke to the commissioners stating that he is not for or against the application. As an adjacent land owner, he wanted the commissioners to be aware of the sink holes on his property next to the northeast corner of the property border. He showed pictures of several and is concerned about the changing conditions with the current drought and earthquakes in the area. He feels that there are potential issues and is surprised at the development of those sink holes this year. He stated that the soil is mixed in the area and he feels a study is warranted.

Hayley Myers stated that they are willing to extend phase 3 to allow time for more study before completion. They would be willing to adjust the size of the lots or drop phase 3 if recommended by the DEQ. They would like to be able to proceed with the first 2 phases She has been in contact with Katy Bergholm at the DEQ and they have discussed having Allan Johnson come and do a site visit to get their recommendations They are concerned with the price of a study that the Planning and Zoning recommended. Their goal is to do things right while trying to keep the costs reasonable.

Denise Horsley stated that she is concerned they agreed to do the pathogen study or community system and she feels like they are now backing out.

Babe Myers responded that they are not trying to back out, but just trying to come up with a solution that would save them costs. They are willing to do whatever DEQ recommends.

Aaron Cook asked if there is an arial overview to see where those phases are located. He felt like they ae trying their best to cover the environmental concerns.



Commissioner McCullough questioned liability if a home were to have issues with sinkholes, He feels there should be disclosure of any issues by the seller.

Commissioner McCullough motioned that the Barley Meadows conceptual plan is allowed to move forward with the following conditions:

- 1) Disclosure of sinkhole issues in the surrounding area
- 2) Nutrient pathogen study is completed or a community system is installed.
- 3) The CC&Rs restrict the development to single family homes.
- 4) Short term rentals are prohibited.
- 5) Animals are restricted to 4 livestock.
- 6) The lots along Hwy 30 are fenced on the south boundary.
- 7) The road name is changed.

Commissioner Mathews seconded the motion. Motion passed unanimously.

- Commissioner McCullough motioned to end the public hearing at 11:08 a.m. Commissioner Mathews seconded the motion. Motion passed.

**Lucetta Holt, Caribou Senior Center:**

- Lucetta came to represent ShaLayne for the Senior Citizens Center. She reports that they have been selling baked goods like crazy. They have new final papers on the remodel that the county needs to sign. The Senior Center will need to pay \$4786, but SICOG has given them COVID money in the amount of \$4500 to put toward projects. They are happy to have the project completed and want to have a grand opening. She was happy to report that Western States has donated an ice machine. Their meals on wheels numbers are staying up and they are now exploring the idea of opening the thrift store on Saturday.

**General Brad Richy / Darin Letzring:**

- Eric introduced Darin Letzring, Area Field Officer at Idaho Office of Emergency Management and General Brad Richy, the Director of the Idaho Office of Emergency Management, Idaho Military Division.

- General Richy spoke with the commissioners about Emergency Management and funding to the states. He stated that disaster funding is 6% of Emergency Management funds that are allocated to the states for mitigation funding. Last year that number was just over 500 million dollars. There is mitigation funding available for competitive projects; the most common being water, waste-water, and power. Many counties are accessing that money to apply for support of unanticipated growth. They are working with Idaho Association of Counties to get a presentation ready for commissioners so that they are more aware of what funding is available to them and what circumstances would qualify for the help. It is a cost share program 75% to 25% matching funds from the county. There is discussion about potentially using the ARPA funds to cover the county's 25%.

The office is planning a Cascadia Subduction Zone exercise in the middle of June next year. He invites the county to come and see the exercise to learn how Idaho's plan to be able to assist our neighboring states. He noted how important the private sector is in helping in the event of a real emergency and these drills provide the practice to set a system up for success.

Discussion was held on the recent actions taken locally during the COVID pandemic and well as the drought condition from earlier this year. General Rich as well as the commissioners applauded Eric Hobson on his efforts to access the available resources and through great communication keep the county prepared in the event of emergencies.

#### **JoAnna Ashley, Planning & Zoning:**

- JoAnna discussed several proposed code changes regarding driveway standards, requirements for nitrate reducing septic systems, road standards, solar ordinances, land splits in the agricultural zone, and requirements for manufactured homes. She will work on wording and showed the commissioners and clerks how to follow the proposed changes in the Municode software. JoAnna will prepare the publishing for a public hearing in December.

#### **Todd & Kathy Jo Torgesen:**

- The variance request was presented from the Torgesens on the variance request on Scenic Vista Drive. They brought their proposed engineering report and discussed the site plan including chip seal and planting of trees along the driveway. They put in several drainage ditches lined with landscape fabric and covered in rock this week and plan another one soon. The commissioners agreed to sign an MOU in order to issue a building permit and work can begin on the project.



**Lee Wilkerson:**

- Lee Wilkerson introduced himself to commissioners as a retired, disabled Air Force Veteran. He lives in the Grace area on Harwood Road and has been here approximately 2 years. He runs a part-time excavation business and raises Newfoundland dogs. He came to approach the commissioners about purchasing the county owned gravel pit off McPherson Canyon Road that sits adjacent to his property. He stated that it is 40-acres and all the gravel has been extracted. He stated that in other states they have done land deals for veterans and he is asking for the board to consider the same for him. He noted his commendations and service and stated that his could be considered a reward for his service.

Kim Spencer stated that he feels there is still some gravel available in that pit and the reclamation process is still the responsibility of the county to complete. Commissioner Somsen stated that under county code, we cannot sell a public property outright. There is a process to put unwanted county property out for bid that Doug Wood quoted from I.C. 60-106. It also states that the ground must be deemed not necessary for county use. Mr. Wilkerson then stated that his is Native American and wondered if that could be a contribution factor. The commissioners informed him that they will do some additional research with other counties to determine if the land deal could be a possibility and get back with Mr. Wilkerson.

**Chris Leatherman, Bayer:**

- Chris Leatherman presented the commissioners with a briefing on the Caldwell Mine Development. He presented information on building code requirements, 2021 highlights, and updated timeline of events and projected schedule for 2022-2024. Chris also showed the commissioners photos at Dry Valley, Caldwell Canyon as Slug Creek as well as the unloading loop project along Highway 34. He also spoke to the litigation that has come up with the BLM. Bayer will continue to schedule updates with the commissioners several times a year. The commissioners thanked Chris for coming and keeping them apprised on the project.

**Dow Barker:**

- Dow came to speak with the commissioners on some potential land splits that he would like make. The Idaho Fish and Game has approached him about purchasing some property in the Sulfur Canyon area. He also has some ground available for sale off of Gunnell Road. He discussed the county code and stated that they would fall under the minor land division section, but asked that the commissioners consider the acreage limitation in that code. The property he is speaking of should not need to be re-zoned. The commissioners discussed code that is already under review and if those changes are accepted would solve the issue that Dow had presented.

**Other:**

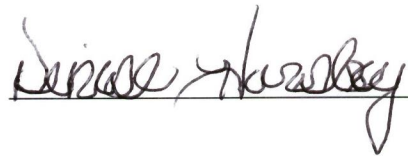
- Commissioner McCullough moved approve the minutes as presented, to pay the FY21 claims for FY 2021 in the amount of \$218,295.80, FY22 claims and remittances in the amount of \$211,277.36 and 10/20/2021 payroll claims in the amount of \$180,862.64. Commissioner Somsen seconded the motion. Motion carried.
- Commissioners signed updated grant closeout documents for the Senior Citizens Grant.
- Commissioner McCullough motioned to approve and sign the Idaho State Police E911 grant application. Commissioner Somsen seconded the motion. Motion passed.
- Commissioner McCullough motioned to approve the 2022 liquor license for Spare Time Fun Center. Commissioner Somsen seconded the motion. Motion passed.
- The meeting adjourned at 2:05 p.m. The Caribou County Board of Commissioners will meet again on November 8, 2021 at 9:00 a.m. for regular meeting.

Signed: Mark Mathews, Commissioner Chairman



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Attested: Denise Horsley, Clerk



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## CARIBOU COUNTY COMMISSIONER'S AGENDA

**Date: 10/25/2021**

ACTION ITEMS / BUSINESS

Time	Name of Person/Party	Concerning
9:00 AM	Bills & Minutes	
9:15 AM	Kim Spencer	Road & Bridge
9:30 AM	Jacob Farnes	IT / GIS
9:45 AM	J. Adam Mabey	Sheriff
10:00 AM	Planning & Zoning - Public Hearings	Skinney- Conditional Use Permit/Private RV Park
10:15 AM		Barley Meadows Conceptual Plan
10:30 AM		
10:45 AM		proposed ordinance changes: solar, subdivisions, manufactured homes, etc.
11:00 AM	General Richy - Director of Idaho Office of Emergency Management	
11:15 AM		
11:30 AM		
11:45 AM	ShaLayne Bartschi	CC Senior Citizen - quarterly report
Noon	Jail Inspection	
1:00 PM	Lunch	
1:15 PM		
1:30 PM	Bayer	Mine Update - Project Overview/Plan
1:45 PM	Dow Barker	Land Split
2:00 PM	Lee Wilkerson	buy county land
2:15 PM	Angie Mendenhall - Treasurer	Tax Collector / Tax Cancellations
2:30 PM	Todd & Kathy Jo Torgesen	Variance to the road standards - Scenic Vista Dr.
2:45 PM	Eric Hobson	EMPG ARPA Project
3:00 PM	Kim Holsten - Indigent	application review
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.

review wording for public hearing notice on Larsen Rd.

review Construction Services bid

sign Senior Center grant closeout documents

approve liquor license for Spare Time Fun Center

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



Approved Payment of Bills

25-Oct-21	Claims	Payroll
Current Expense	\$ 104,441.93	
Indigent		
Road & Bridge	\$ 32,554.84	
Special Highway		
Justice	\$ 16,072.45	
Weed Control	\$ 41,737.29	
Solid Waste		
Reappraisal	\$ 7.21	
Health		
Hospital M&O		
Ambulance	\$ 894.40	
Parks & Recreation		
Tort		
County Fair		
County Court Facility		
District Court	\$ 7.00	
Court Services		
Juvenile Justice	\$ 130.06	
Veteran's Memorial		
Mineral Leasing		
PILT	\$ 22,204.66	
Water District		
Consolidated Election		
Landfill		
Bailey Creek Fire District		
Freedom Fire District		
Auditor's Trust		
Adult Probation Fee		
Tax Deed Excess Funds		
Juvenile Housing Trust		
Range Improvement Trust		
Court Trust		
Odyssey Court Payments		
College Trust		
Treasurer's Trust		
ID Trust		
Concealed Weapon's Trust Fund		
Motor Vehicle Trust		
911 Trust		
Public Safety Fund		
Sheriff's Vessel Fund	\$ 245.96	
Drug Court Trust		
Youth Court Trust		
Vessel Account		
Remittances		
<b>Grand Total</b>	<b>\$ 218,295.80</b>	

Fiscal Year 2021

**Approved Payment of Bills**

<b>25-Oct-21</b>	<b>Claims</b>	<b>Payroll</b>
Current Expense	\$ 10,867.44	
Indigent	\$ 29.47	
Road & Bridge	\$ 5,334.46	
Special Highway		
Justice	\$ 22,191.30	
Weed Control	\$ 78.88	
Solid Waste		
Reappraisal		
Health	\$ 1,189.54	
Hospital M&O		
Ambulance	\$ 23,470.19	
Parks & Recreation	\$ 92.60	
Tort	\$ 90,032.00	
County Fair		
County Court Facility		
District Court	\$ 3,845.75	
Court Services		
Juvenile Justice	\$ 292.48	
Veteran's Memorial		
Mineral Leasing		
PILT	\$ 13,363.51	
Water District		
Consolidated Election		
Landfill		
Bailey Creek Fire District		
Freedom Fire District		
Auditor's Trust		
Adult Probation Fee		
Tax Deed Excess Funds		
Juvenile Housing Trust		
Range Improvement Trust		
Court Trust		
Odyssey Court Payments	\$ 29,392.54	
College Trust		
Treasurer's Trust		
ID Trust		
Concealed Weapon's Trust Fund		
Motor Vehicle Trust		
911 Trust		
Public Safety Fund		
Sheriff's Vessel Fund		
Drug Court Trust		
Youth Court Trust		
Vessel Account		
Remittances	\$ 11,097.20	
<b>Grand Total</b>	<b>\$ 211,277.36</b>	<b>\$ 180,862.64</b>

**Fiscal year 2022**