

COMMISSIONER MEETING OF October 09, 2023

The Caribou County Commissioners met in regular session on October 9th, 2023 at 9:00 a.m. Those in attendance were:

Mark Mathews, Commissioner Chairman
Bryce Somsen, Commissioner
Marty McCullough, Commissioner
Jill Stoor, Clerk
Doug Wood, Prosecutor
Sharlene Simons, Deputy Clerk
Kevin McLain, Road & Bridge Dept.
Jacob Farnes, GIS & IT
Rowdy Larkins, Building Dept
Eric Hobson, Public Safety
Dwight Lloyd, Weed Control
Justin Hatch, Extension Office
Nellie Askew, Planning & Zoning
Ken Lawrence
Annette Hokanson
Angela Barnes

Marnie Spencer, UI Extension
Charles Gentry
Robert Gentry
Tim Gaines
Jodi Gaines
JoAnna Ashley
Aaron Cook, Assessor
Teri Moore
Ally Schwulst
Nancy Espeseth, Center for Hope
Melissa Gallegos, Center for Hope
Heather Moore, Center for Hope
Benji Pedroza, Center for Hope
Reagan Yamauchi, Miss Idaho
Jayson Lower, IDAWY
Michelle Martin

The meeting opened with Bryce Somsen leading the pledge of allegiance and prayer.

Kevin McLain, Road & Bridge:

- This week the crew has been hauling salt from Ogden to prepare for winter.
- Kevin spoke with Kenworth and they said they started the build on the 1st truck and won't start the build on the 2nd truck until the 16th of this month. Kevin doesn't anticipate seeing them until the 1st of year.
- Kevin met with the State about the bridge in Diamond Creek about 2 ½ weeks ago. He shared that his crew will have to take some big rock out in a side dump and stage it up stream from the bridge in hopes of sealing up and stopping the west side from scouring underneath the bridge. The state also went to look at the bridge east of Grace and wants the county to fix the bridge markers that have likely been damaged by the farming equipment. Kevin mentioned they have fixed other markers around the county as well.
- The Fifth District Road Supervisors want to meet before the fall conference. Kevin is wondering if he should go to the fall conference and Commissioner Somsen suggested that he attend. Kevin hasn't

seen any information regarding it, and will do research to see if they have his correct contact information.

- Kevin and Brett went to Idaho Falls to meet with Bonneville County with the winter snow plow agreement. He thought last year's rate was around \$1373 per mile and Kim has set it at \$2800 per mile for this year. Bonneville County paid Caribou County around \$43,000 for that 17-mile road to be maintained. Kevin discussed this with the Commissioners and he will visit again with Bonneville on the amount.

Eric Hobson, EMS:

- Eric stated that about 6 months ago they started a seismic plan where the State of Idaho hired a company to come to do the 4 southern counties for seismic liability. When they sent the final plan there were a large amount of errors in it so they sent it back to the company. Eric said that he made a list of errors and will meet again on the 12th, and waiting to see how they repair product.
- Letter from IST stating that an alert was sent out by Caribou and it wasn't clear if this is allowed. Eric checked with FEMA and the statutes and found that IST is a voluntary program. Eric is hoping to figure this out, but is warning the Commissioners that there may be some feedback on this.
- End of the year purchases were: phone system for 101 which is the main pump truck is ordered and should be here soon, upgrade of hand tools, battery pack with solar panels, new inverters and will work in – house. If old tools are good, they will stay.
- Applications for EMT class are available until the 19th and he currently has 2 applied. If he can't get more to apply, the class may be canceled. Commissioner Somsen inquired if Eric has talked to Shane Howard from Oneida County to teach the class. It sounds like other counties are struggling with getting people to take the course also. It was brought up that Oneida has a class in the High School and Eric will look into this. Students would need to be 16 years old.
- The Health Care Coalition Grant in Clark County, Nevada offered a scholarship to go to the health care conference the last week in November and would cover all expenses except his salary. It was agreed for him to go.
- Eric is trying to use his vacation and would like to only work 2 days a week for 5 weeks.
- He asked about reverse transfers/ non-emergency fees. He mentioned that they are also getting non-medical calls as many as 3-4 a week with people needing help during the night to go to the restroom or needing help to get up or help to go to bed. He is wondering about starting to charge fees again. He was asked to see how other counties are doing (Jill will reach out to the Hospital)
- **Commissioner McCullough made a motion to ratify the purchase of Larsen's Fire Apparatus for \$14,943. Commissioner Somsen seconded the motion. Motion passed**
- When asked about the use of foam, Eric shared information about the use of foam, which foam to use and how it needs to be cleaned out correctly. Then he shared the statute about fires in Idaho.

Rowdy Larkins, Building Dept

- Rowdy said the SEICCA building re-roofing is done.
- Discussion on the Event Center – Rowdy shared the plans for the new fair building. Jill asked to add a closet for the Elections. The plans need to have a few things updated such as the entrance for the emergency bays to face Center Street and to shift the building a little South. Discussion on who would schedule, clean and maintain the facility. Fees were also a concern. Rowdy said he wants to get it out to bid sometime in December-January.

Dwight Lloyd, Weed Control

- Dwight asked about the 825 and whether to trade it in or keep it. It was decided to keep it. He will call John Deere and let them know.
- No addressing software has been installed yet. He needs a way to get a mailing address for properties. He requested that Jacob come out to install the software.

Justin Hatch/Marnie Spencer, Extension

- Justin presented the cooperative agreement for signatures.
- Evaluation letter was discussed. It also had Kari included and the Commissioners will do the best they can where she has been here such a short time.
- Marnie stated that Justin and Kari will be working in both Caribou and Bear Lake Counties. She shared that Justin is applying for promotion to Associate Extension Professor and Tenure with the University of Idaho.
- Commissioner Mathews asked about the buy-back program in the Market Animal sale and wondered if there were some issues there. Justin said that some changes were made as to how they were going to sell those animals by adding a premium to them and it may not have been advertised as well as it should have. They will meet to try to resolve this. Commissioner Mathews asked Justin to keep them informed as to the solution.
- Justin said they are getting into the school classrooms more with the 4-H program and asked if they can close the office when needed during that time. The board stated that as long as there is contact information posted it should be fine.

Jill Stoor, Clerk

- Jill presented 4 Certificates of Residency for approval.
Commissioner McCullough made a motion to accept the Certificates of Residency dated 10/09/2023 for the 4 students that were presented. Commissioner Somsen seconded the motion. Motion passed.

- A list of Alcohol License Applications was presented for approval for the upcoming year.
Commissioner McCullough made a motion to approve the list of alcohol licenses currently in use for 2024. Commissioner Somsen seconded the motion. Motion passed.
- Jill informed the board that the Four County meeting date has been changed to November 8th and asked for any agenda items they wished to add. The only suggestion was to add discussion about a fee structure for winter road maintenance.
- Walt Eiman from North Gem School District inquired about the possibility of using the courthouse for an Art Show for the school this spring. It was discussed that Caribou Jack's had provided room for Soda Springs in the past and the Enders Hotel might be an option. If they wish to use the courthouse, the board was in favor.
- Jill presented the Agreement for Pathology Services between Caribou County and Ada County. There was discussion on the contract being non-binding because of the upcoming opening of the East Idaho Forensic Pathology Center in Bannock County. Prosecutor Wood advised that the contract is non-binding and our intent to utilize the new facility will not be an issue.
Commissioner Somsen made a motion to enter into an agreement for the new fiscal year between Ada and Caribou Counties for pathology services. Commissioner McCullough seconded the motion. Motion passed.

Nellie Askew, Planning and Zoning

- **Commissioner Somsen motioned to convene a Public Hearing at 10:30 a.m. regarding a Zone Amendment for Ken Lawrence. Commissioner McCullough seconded the motion. Motion passed and the hearing began at 10:30 a.m.**
- Nellie gave a brief summary of the request. Ken Lawrence is one of the landowners of the property requesting the zone amendment. The request is for 60-acres of the current 183-acre parcel, to be rezoned to High-Density Residential (HDR) from its current zone of Agricultural (AG). The result of this amendment would allow for said property owners to have the ability to split a portion of their property at a lower minimum, while maintaining the active agricultural ground as agricultural.
Staff Findings: After conducting the site visit, reviewing the zoning of the property and the land surrounding it, staff has found the zone change to High-Density Residential does not meet requirements of County Ordinances or is compatible with the comprehensive plan. If the zone amendment is to be considered, Low-Density Residential is more comparable with the zoning ordinances and the comprehensive plan. The Low-Density Residential is designed to establish single-family residential areas in rural settings and serves as a buffer area between agriculture district and urbanizing areas.
Staff Recommendation: DENY – Based on the seven (7) zone amendment requirements for recommending for approval or approving the final decision. Applicant has only met 3 of the 7 requirements that are required for recommendation of approval. In addition to the requirements not

being met, applicant is not in compatibility with five (5) of the eleven (11) chapters of the 2023 Comprehensive Plan.

- Ken Lawrence, 1721 24th Street, Ogden, Utah, Land owner express what he would like to do with 60 acres of his 180-acre parcel that abuts the Bailey Creek Subdivision. He would like to divide that into 4 lots of 5-10 acre lots. He expressed that he was not understanding the requirements and also felt that those opposed were more concerned about what would happen in the future if this was to be re-zoned. He expressed there are already smaller lots now than what he is asking for. The Commissioners reminded him that they were there before the zone amendment was made in 2008.
- The following spoke against the amendment: JoAnna Ashley, 120 E 3rd S Soda Springs, Angela Barnes, 1285 Bailey Creek, Soda Springs, Tim Gaines, 1296 Bailey Creek, Soda Springs, Robert Gentry, 265 Pioneer Rd, Soda Springs, and Annette Hokanson, 240 Ashland Dr.
- Ken Lawrence feels like it would not change the character of the neighborhood. He stated that he has not changed his motive or intention. He mentioned that he may not need the 60 acres as the lots will be likely around 6-8 acre lots. He shared that Adam Allred is a good friend of his who also wanted to buy a lot to retire in and Meg Torman who is a realtor, talked to them as she heard they were looking for a place and shared with them this farm that was up for sale. He said that he is not changing his plans.
- **Commissioner Somsen made a motion to concure with the staff recommendation for the P&Z and deny based upon the 7 zone amendment requirements for approval of approving the final decision. Applicant has only met 3 of the 7 requirements that are required for recommendation of approval. In addition to the requirements not being met, applicant is not in compatibility with five of the eleven chapters of the 2023 Comprehensive Plan. Commissioner McCullough Seconded the motion. Motion passed.**
- **Commissioner Somsen made a motion to end the public hearing at 11:03 a.m. Commissioner McCullough seconded the motion. Motion passed.**

Nellie Askew, Planning and Zoning

- **Commissioner Somsen motioned to convene a Public Hearing at 11:05 a.m. regarding Resolution 2023-10 Barley Meadows Phase II. Commissioner McCullough seconded the motion. Motion passed and the hearing began at 11:05 a.m.**
- Nellie shared the resolution which was to outline the terms of agreement for the improvement bond for Barley Meadows Subdivision and the conditions by which the county will consider the development of the subdivision complete and release their right to utilize the funds from the irrevocable letter of credit. There was no public comment.
- **Commissioner Somsen made a motion to approve Barley Meadows Phase II, Resolution 2023-10. Commissioner McCullough Seconded the motion. Motion passed.**

- **Commissioner Somsen made a motion to end the public hearing at 11:10 a.m. Commissioner McCullough seconded the motion. Motion passed**

Nellie Askew, Planning and Zoning

- **Commissioner Somsen motioned to convene a Public Hearing at 11:15 a.m. regarding Code Amendment 12.20 One-time Land Division. Commissioner McCullough seconded the motion. Motion passed and the hearing began at 11:05 a.m.**
- Nellie read changes that needed to be made. Chapter 12.20 One-time Land Division in the (adding) Agricultural District. #1 Zoned Agricultural. In #6, it states "If the one-time land division creates a parcel that is greater than the required minimum acreage of the zone, the property is allowed to continue splitting until the minimum is met with (crossing off "out") staff approval. Adding, "Once the property has reached the minimum, it is no longer eligible to be split again, unless it follows the county subdivision process outlined in Caribou County Code Title 12 Subdivisions." Section 2 12.04.020 Definitions (striking out "Minor Land Division) and adding "One-time Land Division Means a division of a tract of land into two."
- **Commissioner Somsen Made a motion to approve Ordinance No 2023-011, an ordinance amending Ordinance 2020-01, 12.20 Minor Land Division for Caribou County. Commissioner McCullough Seconded the motion. Motion passed.**
- **Commissioner Somsen made a motion to end the public hearing at 11:25 a.m. Commissioner McCullough seconded the motion. Motion passed**

Nellie Askew, Planning and Zoning

- Nellie was asked to present ideas for the county parks.
Oregon Trail Park: Bill told Commissioner Somsen that the playground has been fixed and that the brick and mortar bathroom is being abused continually. There was a suggestion to use credit card readers or cameras. Nellie created a map of the park with an idea of camping spots and ideas of utilizing the ground more than what we currently do. Concerns – it is close to the road, day use parking, and boat parking so she presented her ideas. Some of those ideas included adding benches, new playground equipment, markers for historic trail, a walking path, pavilions, and more. Eric Hobson talked about grants that are available. Commissioner Mathews mentioned that he liked the ideas, however if this is accepted there would need to be a fee and someone to oversee this. There was a discussion on water and septic.
Sucker Trap: She suggested a noise park across the highway but the county doesn't own all of that ground. Nellie felt the other area was well developed to stay with it and revamp the current campground park that is there.
It was suggested to have Eric check into some grants before moving forward with anything.

Center of Hope (Hope and Recovery)

- Nancy Espeseth, the director of Center of Hope South came and would like to renew funding from the county.
- Melissa Gallegos from the center here is Soda Springs shared some projects she would like to do including a paint ball course and community clean-up. She expressed they want to give back to the community.
- Benji Pedroza, the Assistant Director of the main office in Pocatello and Heather Moore who is a registered nurse working in behavior health, were here in support of the Center of Hope.
- **Commissioner Somsen made a motion to donate \$5000 to Center of Hope & Recovery from the Opioid settlement funds. Commissioner McCullough seconded the motion. Motion passed.**

Reagan Yamauchi, Miss Idaho:

- Announced herself as a resident Soda Springs and attending and graduating from Soda Springs High School and was very involved in sports and other programs. She attended Snow College and played basketball for 1 year. She then went on a church mission in Hawaii and then back to Snow College where she graduated in May. On June 17th she was crowned as Miss Idaho. Since being crowned she has had the opportunity to travel the state, speaking to business owners, attending the Governor's Cup, attending the Idaho Association of Counties and proudly stating where she is from. She was crowned 126 days ago and has attended 100 appearances in that time. She does what she does because she wants to and does so on her own dime. Scholarships funds earned from the program are for school only. She is asking for sponsorship or donation from her home county to help with events.
- **Commissioner Somsen made a motion to donate \$7000 to Miss Idaho, Reagan Yamauchi from FY 2023 Misc. donation in P.I.L.T. Commissioner McCullough seconded the motion After further discussion, Commissioner Somsen then amended this motion with a motion of donating \$10,000. Commissioner McCullough seconded the motion. Motion passed.**
- Reagan closed with her sincere appreciation and offering to help in any way she can.

Jayson Lower, IDAWY:

- Jayson presented to Amend Resolution No. 2021-09 to add tax collection year and change fees. After discussion on this, it was decided that this will be put on hold until the IDAWY board meets next to discuss the proper procedures.

Nellie Askew, Planning and Zoning:

- Concerning the Area of Impact with Grace, the planning and zoning were wanting to change a few things and the city of Grace thought things were fine the way they were. Nellie asked the

Commissioners how they wanted to proceed with this. The Commissioners agreed to keep things the same.

- Nellie gave an update on the communication tower in Bancroft with Reed Crandall. The question came up why he doesn't use the building of Delbridge's. Nellie will check on that and report back to the board.

Jill Stoor, Clerk:

- The IPSCC Grant Award Document was presented for the commissioner's signature. The FY2024 award came in at \$54,038.72. The grant funds do not require a match and will be used for 911 improvements at the county. The board chairman signed the document.
- Discussion was held on changing the City – County meeting to be semiyearly instead of quarterly.
- Jill informed the board that the remittances has not been included on the Commissioner Approval List that was presented at the beginning of the meeting.

Commissioner Somsen made a motion to amend the motion to approve the claims to add \$8,804.02 for remittances. Commissioner McCullough seconded the motion. Motion passed.

- Discussion was held again on how to handle public notices without a local newspaper. On the advice of the prosecutor, we will be using the Idaho State Journal and work will be done to push legislation to update Idaho Code for this situation. Jill spoke with the board about the possibility of her daughter, Shelby Smith, working on the county website and assisting with setting up a board for public notices to be posted for county taxing districts. She has offered to volunteer her time at no cost to the county. The board approved.

Other:

- **Commissioner Somsen made a motion to approve the minutes of 9/11/2023 as presented, the claims approval report in the amount of \$200,128.06 for FY 2023 and 897,454.54 for FY 2024 on 10/6/2023, and the payroll claims in the amount of \$461,884.59 for 10/04/2023. Commissioner McCullough seconded the motion. Motion passed unanimously.**
- The meeting adjourned at 2:34 p.m. The next regular meeting for the Caribou County Board of Commissioners will be on October 23th, 2023 at 9:00 a.m.

Signed: Mark Mathews, Commissioner Chair

Attested: Jill Stoor, Clerk




