

COMMISSIONER MEETING OF February 10, 2025

The Caribou County Commissioners met in regular session on February 10, 2025 at 9:00 a.m. Those in attendance were:

Mark Mathews, Commissioner Chairman	Kevin Corder
Bryce Somsen, Commissioner	Steven Corder
Marty McCullough, Commissioner	Julie Lakey
Jill Stoor, Clerk	LaRue Workman
Doug Wood, Prosecutor	Jacob Fiebke – Lower Valley Energy
Sharlene Simons, Deputy Clerk	Brody Gibson
Kevin McLain, Road & Bridge	Kristine Gibson
Eric Hobson, EMS	Ben Torgesen
Rowdy Larkins, Maint. & Building	Wayne Cutler
Angie Mendenhall, Treasurer via Facetime	Todd & Kathy Torgesen
Helen Barker, P&Z	Alan Skinner, City of Soda Springs
Aaron Cook, Assessor	Erin Peterson
Ally Schwulst, GIS	Dan Jafek
Brandon Hall, Enterprise	Dean Stutzman, BPS
Molly Beseris, 4CASI	Cody Brower
Craig Davis	Jeff Harris
Kevin Smith	Joe Litzinger
David Martinez, State Public Defender	

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

Kevin McLain, Road & Bridge:

- Dwight shared bid information about the building he wants to add on to at the Weed shop and share this with the Road & Bridge. The addition would be 115 feet X 30 feet. Kevin would have 2 bays that are 30 X 20, the Weed shop would have 1 bay 30 X 14, 2 office spaces and a conference room at 30 X 61. This would be concrete floor, windows, doors, complete shell. The commissioners advised that it will need to be advertised for bids. Rowdy, Kevin and Dwight need to get together and discuss what all needs to be done. It was suggested to add the bathroom at the same time.
- Commissioner Somsen shared that ITD said no to adding the turn lane out by the Weed and Road Depts.
- Kevin shared a wish list:
He talked about going through the port with their transport trailer with a road grader on it and they were overweight. He said that the transport trailer they have now has a lot of stress fractures especially on the beaver tail hookup and

it has been welded several times. He then mentioned that at Diesel Depot, there is a trailer for \$121,700. He then mentioned that there is value in the trailer that they already have for hauling locally, but ITD doesn't want it being used due to the stress fractures. Diesel Depot does not want to do a trade.

A road grader was another piece of equipment he talked about. Kevin asked if the county wanted the option of a 5-year buy-back. The Board agreed on this option. The price is \$323,686.95 for 2024 Caterpillar 150 motograder.

2 snow plows were then mentioned. He said that the one in Grace has had 3 transmissions put in it over the last 6 years and one in Soda (Goliath) it has had quite a few issues and is on its last leg. The price for these per truck is \$250,035.09 and are a Kenworth. He proposed to get 2 new ones and shared he had money left over from last year. He shared that the one from Soda does have value in it. It was suggested to get a bid with the trade on it.

- Kevin shared the BLM 5-year lease on the cinder pit on the Government Dam Road needs a notarized signature.
- Lower Valley Power will be in later today and Kevin has a permit ready for them.
- He stated that the \$17,000 gallon bladder they use for the Mag-Chloride is no longer able to be used. He will get some bids and said the bladder is called frack tanks with a 21,000 gallon tank for \$6000 and these are portable. He will get bids and bring them in to the next meeting.
- **Commissioner Somsen made a motion to agree on a purchase price with trade of \$323,686.95 for a 2024 150 AWD Motograder and a lift group for the front, a V-plow, and wing hydraulic. Commissioner McCullough seconded the motion. Motion passed.**
- **Commissioner Somsen made a motion to purchase from Diesel Depot a 2025 Low Boy Trailer for \$121,700. Commissioner McCullough seconded the motion. Motion passed.**
- There was discussion on job applications. The Board will review the current applications this afternoon and decide when to interview.

Eric Hobson, Fire/Ambulance:

- Eric was not able to come today.

Rowdy Larkins, Courthouse Maintenance/Building Dept:

- Rowdy shared change order for the Event Center #5 from A+ Contractors for earthwork fill due to removal of topsoil totaling \$22,515.
- Change order #6 from A+ Contractors to backfill inside of walls totaling \$62,664 – Commissioner Mathews had question about this bid and Rowdy will check into this more.
- Change Order #7 for price increase on electrical scope to Perk's Electric totaling \$14,987.
- Change Order #8 from Swainston Mill adding cabinets with credit and using the same bid as last time. This is the corrected order totaling \$16,519.
- Change Order #10 from Perks Electric is a proposal to isolate power metering to Fire Station from the remainder of the building totaling \$17,055. The water will be separate. This order was tabled for now. Rocky Mountain Power was not included on this.

- **Commissioner Somsen made a motion to approve Change Order #5 to A+ Contractors for earthwork for a total amount of \$22,515, Change Order #7 to Perks Electric for pricing material increase for the total of \$14,987, and Change Order #8 to Swainston Mill for a total amount of \$16,519 all for the Event Center. Commissioner McCullough seconded the motion. Motion passed.**
- Rowdy commented that the Event Center building is progressing as frame work is partially up.

Helen Barker, Parks and Rec.

- Helen spoke about the Parks & Rec. regarding the RV park. She spoke about contracting with JUB for \$5000 to help as a landscape architect and ensure that things go smoothly. When she talked with Keller's, they mention that they specialize mostly with roads. She will bring more information with a solid contract to the next meeting.
- She received a bid from Craig's Backhoe regarding the port-a-potties. He broke down the bid by gallons of disposable sewage, mileage, and cost per week for servicing and cleaning the toilets as well as holiday needs. Craig has the ability to clean the vaulted toilets. Craig Davis spoke and said he would do a trade in with the toilets that the county owns. It was agreed to get a contract.

David Martinez, District 6 Public Defender:

- David was here to see if the Board had any questions about the budget change and an update on how things are progressing right now. The budget now proposed by the Governor for this year is \$88,500,000 which is up from \$52,000,000. One of the benefits of this budget is that the contract Attorney's fee will be \$150 per hour which is up from \$100.

Jill shared some concerns about Don Marler and his contract with Caribou County. She also felt that the county is waiting longer than necessary for cases to be assigned. The Magistrate Judge would like to see where there is already a public defender assigned to a defendant, and if additional charges are filed, the judge being allowed to assign the same public defender. A discussion was held on allowing the district public defender to more effectively work with the courts.

Angie Mendenhall, Treasurer:

- Angie spoke about the Idaho Power Judgement of \$12,951.17. This is a result of the State Tax Commission losing the case concerning their assessed value on the power company over the last 3 years. This amount was calculated based on the change in the value resulting in the need for refunds of paid taxes collected in the 2021, 2022, and 2023 tax years. This only affects one tax code area, which is tax code area 4, in Caribou County. Angie suggested that the county pay the full amount.
- **Commissioner Somsen made a motion to pay the Idaho Power Refund Credit for \$12,951.17 out of PILT. Commissioner McCullough seconded the motion. Motion passed.**
- Aaron shared that there was a parcel that was changed in 2021 and it had an error in the tax code area. This resulted in a tax payer paying more than they should have. It was agreed to issue them a check in the amount of \$5,989.64. Aaron has made the correction moving forward. Angie suggested paying them so it will not affect their escrow.

- **Commissioner Somsen made a motion to issue the owners of parcel # 09S42E317600 a refund for \$5989.64 for over payment of taxes; this will be paid from P.I.L.T. Commissioner McCullough seconded the motion. Motion passed.**

Cody Brower:

- Cody came to discuss the property that the County owns and the deeds associated with it. Cody recently acquired property that joins the property that is currently owned by the county. He is interested in acquiring the property that the county owns. Jill helped him find the history of both properties due to a question with a deed gap. This deed gap was the main concern of this discussion and who owns that portion of the property. Angie suggested to talk to the title company to guarantee the description. It was agreed to go through the title company before any other action is taken on this property. Cody will be back in two weeks.
- Kevin Smith, who also owns property next to the county's property, spoke and felt the appraisal was too high. He felt it should be appraised as dry grazing.

Helen Barker, P&Z:

- **Commissioner Somsen made a motion to enter into a Public Hearing to amend the Area of Impact Agreement at 11:05 a.m. Commissioner McCullough seconded the motion. Motion passed unanimously and the hearing convened.**
- Helen shared that this Ordinance is amending Ordinance 2017-02 The City of Soda Springs Area of Impact Agreement with Caribou County. This is amending Section 7 of the 2017-02 Ordinance. Per Idaho State Statute 67-6526 this amendment hereby affirms that areas of impact are under the jurisdiction of the County because the elected representatives of citizens in these areas are County officials, not city officials. While cities shall receive notice of and may provide input on applications brought to the County within an area of impact, cities do not govern or control decisions on those applications. The final determination regarding any application within an area of impact shall rest with the County Commissions, who shall have the sole authority to make decisions regarding such applications and the boundaries of areas of impact within their county.
All applications for building construction and property development within areas of impact shall be forwarded to the City Building Inspector and the City Clerk for review and comment. The City will have 30 days to provide feedback, but it is understood that the County retains ultimate authority over decisions regarding these applications.
The City shall be notified of any meetings of the County Building Inspector, County Planning and Zoning Commission, or Board of County Commissioners where the County is considering building, property development, or other actions within the area of impact. The City's representative is permitted to attend these meetings and present comments or objections, but the final decision-making authority shall remain with the County Commissioners.
Prior to this the City had the final say and now it is saying that the County will be the final with the city still having comment, recommendation and review. This does not change any annex to the City.
- Public comment: LaRue Workman spoke mentioning that she does not want to be part of the city. Doug shared that the legislature mentioned that the area of impact residence does not have a vote in the cities, therefore this is giving the county the final say and to come into compliance with the state statute.

- Steven and Kevin Corder asked if the City is going to have a lot of say, limitations or costs. They had some concerns about the A1 zoning and A2 zoning. Helen clarified how this will work.
- Angie felt that there was some confusion to this and maybe should have been a condensed version in the letter of what this is really about.
- Alan Skinner, City of Soda Springs, commented that nothing has really changed
- **Commissioner Somsen suggested to close the Public Hearing at 11:21 a.m. Commissioner McCullough seconded the motion. Motion passed.**
- **Commissioner Somsen made a motion to adopt Ordinance 2025-01 an ordinance amending Ordinance 2017-02 The City of Soda Springs Area of Impact Agreement for Caribou County, Idaho; providing for the manner of amending such code; repealing certain ordinances not included herein or in conflict herewith; waiving the three reading rule; and providing when such code and this ordinance shall become effective. Commissioner McCullough seconded the motion. Motion passed.**
- **Commissioner Somsen made a motion to convene an executive session 74-206 (f) at 11:40 a.m. Commissioner McCullough seconded the motion. Commissioner Somsen voted aye; Commissioner McCullough voted aye; Commissioner Mathews voted aye. The motion passed and the executive session began.**
- **Commissioner Somsen suggested ending the session at 12:18 p.m. No decisions were made.**

Jacob Fiebke – Lower Valley Energy:

- Jacob is the Engineering Manager for Lower Valley Energy and spoke about the poly natural gas pipe line that they would like to put in from Montpelier to Afton Wyoming. This will potentially be going through Caribou County along Crow Creek Road. They are looking at installing a 10" and 12" poly pipeline. He has submitted a county right-of-way road permit with Kevin McLain. He wanted to make the county aware of this. He is hoping that this will go through. There may be additional permits needed if crossing the road.

Jeff Harris, Village Road:

- Jeff shared that the developer sent a quit claim deed but it did not have the legal description so it could not get recorded. The developer met with his legal council and he said this is something that should have been done prior to the road being improved. Commissioner Mathews said the county has not made any improvements to the road. Both Jeff and the Board would like to get this fixed and after much more discussion, the Board asked Jeff to get a petition from as many land owners as possible along with the Quit Claim deed and present this to the Board for acceptance. If accepted, the patrons need to realize that the road will be put on the schedule to be worked on and may not get done immediately.

Doug Wood, Prosecutor:

- Doug shared that he has a presentation for DYW on behalf of the Lions Club. Last year the county donated \$1000 and he is hoping the county could donate again.
- **Commissioner Somsen made a motion to donate \$1000 to DYW program to come out of the Commissioner Contingency. Commissioner McCullough seconded the motion. Motion passed.**
- Angie has been serving as Board of Guardian. He is needing guidance where to take expenses from. Doug felt that his budget could handle the expenses with this case. In the future he feels that there should be a fund for these expenses. Angie will check with other counties and see where they pull the funds from and how much to budget for.

Jill Stoor, Clerk:

- Jill brought Molly Beseris in about the Gem Grant. Jill asked Molly to come in and help clarify how to handle the money to the city for the Main Street Project so that it satisfies the auditor. The Main Street project grant was for \$18,000 for hook-ups. The County's bill will be \$12,000. The idea was to use the grant money to help the other property owners with their hook-up fees. Those owing \$6000 the county would pay \$1000 and those owing \$3000 the county would pay \$500. Jill would like a detailed bill from the city listing the property owners and the contribution they received including the hook-up fees for the county. This bill from the city should come to \$30,000. Jill will check with the Auditor for the correct wording.
- Jill presented some Certificates of Residency to be approved.

Commissioner Somsen made a motion to approve the Certificates of Residency for the students of 02-10-2025. Commissioner McCullough seconded the motion. Motion passed.

- Jill mentioned that the Fair board needs a new board member. Commissioner Mathews said that Jayson Smith has agreed to fill position in the fair board.

Commissioner Somsen made a motion to approve Jayson Smith for Fair board position. Commissioner McCullough seconded the motion. Motion passed.

- Jill shared that the opioid funds could be used for a request from the drug court to send multiple people to National Convention in the amount of \$3200 per person. This will be in Orlando, FL on May 28-31, 2025.

Commissioner Somsen made a motion to approve up to 3 people to go to the ALLRISE drug court training in Orlando, FL. Commissioner McCullough seconded the motion. Motion passed.

- Jill then shared the comparison of the phone providers B.P.S. and RYTEL. Both providers shared close to the same features however Jill felt after she had researched the bids that she would like to go with RYTEL due to no long distance fees and with RYTEL the county would own the phones.
Dean from B.P.S. spoke about his proposal to clarify their long distance charges and clarified their services.

Commissioner Somsen made a motion to have RYTEL be the phone provider for Caribou County. Commissioner McCullough seconded the motion. Motion passed.

- Jill will work with the title company to research on the ground the county owns in Grace that was discussed with Cody Brower. Angie said she would be willing to help Jill with this.
- IACC Conference will be in June in Coeur-d'Alene.
- Angie spoke and shared that she had flooding in front of her house on the highway. She contacted ITD and was frustrated that there was no help with the county and the state.
- Jill reminded the Board about the applications they need to look at for Road & Bridge.

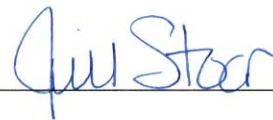
Other:

- **Commissioner Somsen made a motion to approve the minutes of 01/13/2025 as presented, the claims approval report in the amount of \$716,315.72 for 02/07/2025 and the payroll claims in the amount of \$450,935.65 for 02/05/2025. Commissioner McCullough seconded the motion. Motion passed unanimously.**
- Commissioner Somsen shared that Degerstom is on their way out and Turner is on their way in. There is an open house tomorrow and Wednesday at Main Street Diner from 1:30 – 6:30 PM.
- The meeting adjourned at 1:26 PM. The Caribou County Board of Commissioners will meet again on February 24, 2025 at 9:00 a.m. for regular meeting.

Signed: Mark Mathews, Commissioner Chair



Attested: Jill Stoor, Clerk



Commissioner Minutes 02-10-2025