



BLOOMINGTON CITY COUNCIL
MINUTES
BLOOMINGTON CITY OFFICE
45 N 1st West
APRIL 15, 2025, at 7:00 p.m.

City Council Attendees: Mayor Bunderson by Zoom, Mike Knapp, Dan Porter, Rob Allred, Cindy Piggott, Debbie Thomas, and Christine Cooper

BADC Attendees: Jane Simpson by Zoom, David Bee, Jerry Thornock, and Wayne Lloyd

Community Attendees: Julia Rowland, Miriam Dury, Ruth and Marc Baker, Philip Ward, Paul Sousa, with Reed Nelson and Jared Schetselaar by Zoom

Meeting called to order by Mayor Bunderson 7:00 pm and welcome given to all attending

INVOCATION – Mike Knapp

PLEDGE OF ALLEGIANCE – Christine Cooper

JEREMY WOLFE PROPOSED HOME – Was not in attendance

MIRIAM DURY/TJ NELSON PROPERTY - VACATE ROAD

Roy and Miriam have been working together on the TJ Nelson Property and how best to market the property. 1st South on the Alden Talbot property was vacated by the city, earlier this year. At that time, the Nelson Family indicated they would also be interested in having the city vacate 1st South, a partially plotted road through the Nelson property. This road did not go completely through their property, but had a plotted portion missing. This missing piece through the Nelson property to Cemetery Road or 3rd West made through traffic impossible on 1st South.

Steps for vacation of a road in Idaho:

1. An application by the Nelson's would need to be considered by the council. This was sent in to Debbie.
2. The city will provide written notification to every property owner within 300 feet of the property that potentially could be vacated.
3. After vacation is successful, the property being vacated is divided down the middle of the roadway and one-half of the property goes to the owner on each side of the vacated road.

Since the Nelson's own both sides of the proposed vacation, the entirety would go to the Nelson Family Farm LLC.

As you move east on the platted 1st South Road, Jay Ward, Victor Reese, DeEtte Reed, and Diane Martin who previously asked for 1st South to be vacated west of 1st West.

Miriam Dury who spoke for the family expressed a desire to move forward with the vacating of 1st South.

Roy said the city would propose to vacate 1st South from Cemetery Road down to 1st West. Reasons why vacating the road are:

1. There are a number of structures by 1st West that are built in the right-of-way of the plotted 1st South Road.
2. Much of the plotted 1st South Road is in highly swampy land, making it almost impossible for a road to every be built on 1st South.
3. 1st South had a portion that had never been platted.

Miriam stated that the Nelson Family only proposed vacating the road that went through their property, and if the city wants the rest of the road vacated, the other owners of adjoining properties will need to step forward for themselves.

Jane brought up the fact that the Williams Family Trust would also need to be involved because they also border the 1st South proposed vacation.

Roy asked the council if they saw any problems with vacating the entirety of 1st South down to 1st West.

- Dan – I do not.
- Rob – Nope
- Mike – No concerns as long as the property are agreeable to the vacation.
- Cindy – Absent

Roy: On 3rd West, below the cemetery, the east perimeter line of the cemetery and the west boundary of the Nelson property are shown as the same line on all Bear Lake County maps—except for one geo-media input that indicates a platted road. However, there is no officially platted roadway east of the cemetery, despite the presence of a well-used public road.

Roy discussed this issue with AIC and the Idaho State Tax Commission. The consensus was that there is over 100 years of public use, which has established a prescriptive easement. This easement runs from the Nelson property fence on the east side of the roadway to the cemetery fence on the west side.

Miriam spoke with the Nelsons to see if they would be willing to issue a Quitclaim Deed to the city, transferring the portion of the unplatted roadway that crosses their property. A survey will be required for this to proceed. There will need to be a property description included of this property that will be deeded to the city. By issuing the deed, the city will have a clear, recorded right-of-way, eliminating the need to rely solely on a prescriptive easement. This arrangement benefits all parties involved:

- The city will have official access to Cemetery Road.
- The Nelsons will gain formal access to a portion of their property.
- There will be a recorded public roadway with defined boundaries.

The Nelsons were very supportive of the idea and expressed they had no intention of claiming the road. They are eager to resolve both the 1st South land vacation and the cemetery road issue so that they can proceed with the sale of their property, which will then have clearly defined boundaries. Roy stated there was no quid pro quo, only each party doing their part in good faith effort. It was stated that a survey will also need to be completed on the 1st South vacation with a property description of what is being vacated.

Roy asked if there were any question to the council and the public attending.

Jane mentioned a L-shaped piece of property owned by the Williams that is surrounded on three sides by the Nelson property. She wondered if the actions discussed will give them enough frontage. Miriam will address this with the Williams.

Roy: In vacating all of 1st South from 1st West up to Cemetery Road/3rd West, all parties with adjoining property will need to be notified and agree. These parties will include the DeEtte Reed, Leonard Martin, Jay Ward, Victor Reese, and the William's Family Trust. After agreement from all parties is received a public hearing will need to be held. If there is no objection to the city vacating 1st South, a survey can then be completed. All council members agreed to this process.

- Motion made to initiate action on the vacation of 1st South: Dan, Second: Rob, Vote Unanimous, Motion Passes

Roy will do some research and determine who is within 300 feet. They will each need to receive a certified letter to see if they agree with the vacation. Roy will work with Debbie on the letters and also involve Jane.

- Motion made to support the acquisition of the property between Nelson's fence on the east and the cemetery west fence line, on 3rd West through a Quick Claim Deed from the Nelsons, turning over this property to the city, which has been surveyed providing a property description.

Motion signifying agreement with the intent and authorization for Roy to continue to do exploratory work on the Quick Claim Deed for 3rd West between the Nelson's west fence line and the cemetery's east fence line: Dan, Second: Mike, Vote Unanimous, Motion Passes

The Nelson's designated Miriam Hulme, their agent, as point person to work with the city.

GENERAL BUSINESS

APPROVE BCC MARCH 18, 2025, MINUTES

- Motion to approve March 18, 2025 minutes as written: Mike, Second: Dan, Vote Unanimous, Motion Passes

APPROVE BCC AND BADC MARCH 25, 2025 MINUTES

BUILDING AND DEVELOPMENT COMMITTEE -David

BUILDING PERMITS – The BADC received four permit applications, two from Don and Suzette Thornock which were combined into one, both buildings are for additions to outbuildings. One for Reed Piggott for an addition of a porch on the front and south side of his home, which was approved subject to application deposit which Debbie received. The last application was from Patrick Hoins for a metal building with bathroom facilities. The application was incomplete and referred back to Mr. Hoins to address water and sewer issues. The city will need to discuss existing water and sewer services, and what the city's expectations are for Mr. Hoins. The State will not issue Mr. Hoins permission for a septic tank because he is within 1000 feet of a city connection. Roy clarified that they will give him a permit if the city will give him a waiver to put in a septic tank. Mr. Hoins approached Roy if he will be able to hook onto our sewer system. He explained a connection fee of \$3000 would be needed, and he would have to have the plan engineered. Mike and Roy both felt he should hook onto the city system in the best interest of both he and the city. Mr. Hoins would be responsible for the maintenance of this line as it will use a private grinder pump from the source to where it drops. There was a consensus among the council that they don't want to give a waiver to Mr. Hoins for a septic tank. All agreed with this.

There was some discussion of other homes being built on 50 East and the need for another collection cell or point, which will be gravity feed to those collection cells. However, a collection cell east of 50 East will need a feasibility study before anything can be done. HLE is working with Mike to fund this study.

APPLICATIONS REQUIRED 48 HOURS BEFORE BADC MEETING – The BADC would like the council to consider putting a 48-hour requirement for review of building permit applications before their meeting. That would allow to make sure everything is complete prior to the meeting. The application permit will need to be changed to include this 48 hour before the meeting deadline.

- Motion made for the BADC to change the application to whatever timeline they feel comfortable with: Dan, Second: Rob, Vote Unanimous, Motion Passes

UPDATE ON COMPREHENSIVE PLAN – The plan has been broken down into sections and assignments made to those sections. BADC members were given instruction to research and update their sections. Roy suggested that zoning may be part of the discussion for the new plan, so a long-term plan exists of for where we would like the city to and what we would like it to look like. The city residents will also be involved through possible committees and public hearings.

SCHEDULE COMP PLAN WORK MEETING

The questioned was asked about where the city is concerning the surplus property. The properties can't be sold without a survey. Unfortunately, there are no markers available for landlocked property or small strips that have to frontage and no value. The appraiser chose to use some higher end comparables and appraised the property at very high values. The city needs to recoup the money put out for the appraisals and survey costs. Jane's recommendation is to put each property up for sale on a silent auction, and set the minimum bid for the cost to cover what's already been expended and anticipated additional expenses. Mike suggested he would support this plan.

- Motion made to proceed with a silent auction for those parcels, setting a minimum bid to cover our appraisal and costs, and to authorize the BADC to establish that minimum value: Mike, Second: Dan, Vote Unanimous, Motion Passes

David asked about the status of the Eric Nelson annexation and the sewer and water connections. Roy addressed this question as he had just spoken with Eric. He asked what the city would allow him to do on the road down to his property. Roy reminded him when his land was annexed, 4th North was not. This road is a county road. Eric asked if he could run the power and water lines down private property on both sides of the road. Roy expressed he saw no problem with doing that. However, the city would need a definitive easement from the private property owners so they could access that water line.

Status of the Codification process – Debbie stated job would be completed this upcoming week.

Status of the parking lot up the canyon. Excavation is almost complete on the north side of the road, then they are ready for gravel. All invoices need to be turned in by the end of May. Wayne will check on the grant from the snowmobile club in the amount of \$2,400. The old head-house was proposed as a site for signage for the parking lot. He stated this lot was built with no expense to the city. There was some discussion of placement of fencing on the upper side of the city property.

Roy then stated that Russ Sorenson bought the Brewer property and has started some construction in that area.

The next issue is the use 17 to 20 acres of city property East and North of the water tanks. Both Wards and the city use a common gate onto their properties. The Wards also have been watering their cattle on the city tank overflow. Roy suggested a signed agreement be given by both parties. If they put a fence in at the bottom of the property, the city will grant the Wards a one-year lease according to Idaho law. However, final terms will need to be worked out.

- Motion made to allow Wayne and Jerry to represent the city and join with the Wards to come up with a written agreement that would be approved by the council: Mike, Second: Dan, Vote Unanimous, Motion Passes

Jane offered to produce an MOU of the final decision and agreement between the city and the Wards.

Roy asked if the city water testing has been completed each month. No bill for April was received. Rob was asked to follow up on this issue.

WATER – Rob: Kyle sent him some references regarding the cleaning of the water tank. We would like to partner with St. Charles and Fish Haven to procure a better deal.

Rob spoke with Mike Ward concerning the completion of the 5th North water line. Mike plans on being here sometime in May/June to bore over 5th North and connect to the two-inch line there. Rob wondered about changing the two-inch line, running along 50 East from 5th North to the hydrant by 4th North, into a six-inch line. He would like to get bids for this project. Mike Knapp stated by getting bids, the city can make a more informed decision. Roy indicated if the city gets a chance to expand their lines to full capacity, the city needs to take advantage of this if we can justify the cost.

Rob also suggested putting together a plan for snow removal around the hydrants and flush them at least once a year. Roy said the city might find a little money in the budget for this to happen. Rob agreed to follow-up and make a recommendation to the council.

Roy asked about the Doug Barnett water problem. Shawn Turner was having a hard time finding parts as this is an old meter. Shawn asked if he could replace them. Rob agreed to replacing the meters. Roy asked Rob to check with Shawn and see what he needs to have to help him complete this job.

ROADS – Bids for the Child Safety grant project were posted in Franklin and Bear Lake Counties on the 26th of April. The city clerk and treasurer with myself and Kyle from HLE met for the bid opening at 2:00 am. Only one bid was submitted 15 minutes from the opening time. Bear Lake Construction was the only bid. They submitted a bid of \$318,000. Our grant is for \$250,000 with a possibility of \$50.00 more. Kyle will meet with Doug and they will come up with a different scope of work in order to meet the grant monies.

Dan also stated that he will also use the \$42,000 in the road budget to chip seal this year. Chips are being arranged with the county by Kyle. Roy stated that the gentleman that provided the oil last year will be coordinating with Kyle also.

UPDATE ON SIDEWALK GRANT BIDS

SEWER – Mike: By the end of April, the city will know if it will receive 50% funding for the sewer study. Then they are hoping to apply with the USDA for the other 50%. The Army Corps of Engineers will also be contact if needed. Mike will meet with Kent Glenn to get all the information for an emergency plan.

FACILITIES – In Cindy's absence, Roy shared she in on task for the Memorial Day Program and breakfast.

TREASURER – Christine

PAYMENT OF EXPENSES

- Motion to pay expenses as submitted: Mike, Second: Rob, Vote Unanimous, Motion Passes

DELINQUENT ACCOUNTS – There are very few delinquent accounts.

BUDGET HEARING DATE – A date of August 19, 2025 was set for the budget hearing, during the regularly scheduled City Council meeting.

- Motion made to hold the Budget Hearing on the 19th of August 2025: Dan, Second: Rob, Vote Unanimous, Motion Passes

CLERK – Debbie asked about thanking Marilyn for all the years of service she has given to the city. Roy said he had some ideas and would get with her upon his return to Bloomington on Monday.

MAYOR

DISCUSSION ON PROPOSED DEVELOPMENT UP 1ST N ABOVE MARK PIGGOTT AND BELOW DAVE BECKETT

This proposed development will compose of low-cost housing. He wondered about the chance of annexing this property. Roy suggested to him that if he was able to annex, a by-in would probably be some impact money to put a larger transmission line down to get water. No commitments have been made, but indicated to him, if he was serious, he needs to come sit down with the council.

Roy stepped down and deferred the chair to Mike for this part of the meeting because he would like to make a presentation that has the potential to be a conflict of interest.

DISPOSITION OF PROPERTY AT WATER TANKS – Handled above.

ANNEXATION PROPOSAL/CONSERVATION EASEMENT: Roy would like to make a formal proposal with the council to see whether or not they would support his proposal, so he can move forward with the proper application, surveys, and paperwork to affect the proposal.

He then turned the chair over to Mike for this discussion.

Roy owns approximately 100 acres of property that sits between 2nd and 4th North, east of the Bloomington City limits. His request is that Bloomington City consider annexing the entire 100 acres of property. He would like to establish a higher value of property than farming ground would provide. He would like to sell the right to develop, so the property could not be developed. He would like to put the property into a conservation easement. He did explain there is risk to the city. If the land is not annexed and is not purchased as a conservation easement, at that point he could come back and make application of the city for a development on that property. Roy believes he can get the value he is looking for out of the conversation easement. The city will then have an annexed property of 100 acres that can never be developed and would be farm ground for perpetuity.

In the event the easement didn't go through, the city would have entire control over whether or not there was any development on that property as part of the city limits. The city would also gain in property taxes as now the property is taxed at building instead of farm ground.

Roy would go through all the formal steps to annex this property.

Dan said he was in favor ever since it has been discussed. He stated we need to protect the community. He hopes it is a success and other farm owners will follow suit.

Rob asked who would care for this property. Mike explained whatever organization the property is sold to will take care of the land. If a developer comes in and wants to buy the land, the development rights would not be available to them. The land will be a private ownership, just like it is now. The only difference is there is now a restriction that says it can only be used for agriculture. Some other private owner could buy the land, but only for agriculture purposes.

Rob stated that he also thought it was a good idea.

Jane was worried about taking that much area out of our potential growth area. Mike and Wayne Lloyd felt there were plenty of other areas that would also support growth.

Jared Schetselaar shared an instance where people didn't set up any property easements and the State came in and took over all the land the city had set aside for green space and built a freeway. He stated they exchanged open space for a freeway and higher denser housing in their city. He then stated, as an adjacent land owner he would support Roy's proposal 100%.

Mike called for other comments, then asked Roy if he got adequate feedback. Roy requested, at this time, for a formal agreement from the council that they would like to move forward with is proposal.

- Motion that the city council would like to move forward with Roy's proposal to annex his property and put it into a conservation easement: Rob, Second: Dan, Vote Unanimous, Motion Passes

Mike then turned the meeting back over to Roy. Roy thanked everyone for their willingness to stay land and discuss his proposal.

COMMUNITY COMMENTS – found in minutes above

- Motion to adjourn: Mike, Second: Dan and Rob in unison, Vote Unanimous, Motion Passes

ADJOURNMENT at 9:50 pm

NEXT REGULARLY SCHEDULED MEETING JUNE 17, 2025 AT 7:00 PM, CITY OFFICE