

**Jefferson County Commissioner Meeting Minutes  
August 22, 2016**

Meeting called to order at 9:00. Those present are Commissioner Farnsworth, Commissioner Hancock, Chairman Raymond, HR/Emergency Management/Park & Rec. /Commissioner Assistant Rebecca Squires, Treasurer Kristine Lund, Weed Department Mitch Whitmill, Fred Martinez, Assessor Cody Taylor, Planning & Zoning Naysha Foster, Sheriff Steve Anderson, Extension Office Lorie Dye, Maintenance Bryan Briggs, Public Works Dave Walrath, Probation Tammy Adkins, Clerk Colleen Poole; Audrey Moon is clerk of the board. Pledge of Allegiance offered by Naysha Foster. Prayer offered by Rebecca Squires.

**COMMISSIONERS – ELECTED OFFICIALS – DEPARTMENT HEADS**

• **STAFF MEETING**

[9:02:09 AM](#) Chairman Raymond introduces George Hamilton from the Eastern Idaho State Fair. George said the Eastern Idaho State Fair is starting in two weeks. Hands out a program. Have a great fair lined up this year. Have some up and coming country music artists coming in. Will be having two nights of rodeo as well as some horse racing. 4-H is a big item at the fair and Jefferson County is the fourth biggest exhibitor in the fair. Thanks George for coming in.

[9:05:15 AM](#) Clerk - Colleen Poole said they are trying to finish up budget. Needs green sheets as soon as possible. These sheets need to be the same as the budget. Change in public hearing was September 12 and has been changed to September 6. Colleen will republish this with the amended date. Will get any changes to the department heads about the final budget.

[9:05:44 AM](#) Assessor - Cody Taylor said that they do have three owners that are filing a BTA. They had thirty days from the day they got their new values so they should be about out of time. Will be having the state come here for these BTA meetings.

[9:07:07 AM](#) Planning & Zoning - Naysha Foster reminds them that on Tuesday at 6pm doing some area of impact training. Have invited all of the municipalities to attend. For July had thirty-two building permits with thirteen residential, two manufactured homes, one commercial and the rest were miscellaneous. So far in August have twenty-five building permits with fifteen residential, two manufactured homes and the rest being miscellaneous. Have five agenda items for their September Planning & Zoning meeting.

[9:08:06 AM](#) Treasurer - Kristine Lund does not have anything.

[9:08:17 AM](#) Maintenance - Bryan Briggs things are going good. Will be ordering filters for restock from last year. Cleaned the carpets this weekend. Sheriff Anderson said the jail is leaking again from the swamp cooler. Also he needs to check the garbage at the front door of the Sheriff's Office. Bryan will check into both of these things.

[9:10:15 AM](#) Weed Department - Mitch Whitmill going to be making the transition from the annual treatments to the perennial treatments. Start with a seeding program. Will be doing revegetation work by re-establishing grass. On August 30 will be going to Boise for an organization the governor has put in place. This will be with noxious and endangered species. Not sure yet what the objective is yet. May cover other areas as well. Mitch said this will be in the capitol will get the commissioners the information. On September 19, 20, 21, 22 are putting a project together with BLM and the Idaho Department of Lands doing a project in some logging areas. This will be done with cost share money. This is up above Heise. Will be down at the state fair and have a booth available to talk about weeds. Chairman Raymond asked Mitch around the parking lot of the mud lake building if they could look at treating this again.

[9:17:40 AM](#) Extension Office - Lorie Dye does not have a lot. Still cleaning up from the fairs. Big thanks to everyone that helped with the fair. Have a week to get ready for the state fair. Their new ag educator started last week and his first week was in Moscow. Will be debriefing him and getting him started this week. Were donated a 1947 John Deere tractor. This will be opened up for auction for the 4-H youth. Rebecca asked her to send a picture and get it on social media. Have a camp in Alpine have the inspections done. Commissioner Farnsworth said the only negative thing he heard on the fair was the sound system in the rodeo arena. Steve Cook would be over this area. Other than that had a lot of compliments. Chairman Raymond said perhaps it would be beneficial next time they meet will maybe have a short report on the market sales and the proceeds. Lorie said they accept boosts and get the payouts by September 19.

[9:22:50 AM](#) Public Works - Dave Walrath in the final stage of chip sealing are out on the West Side. Using a medium cure oil for a trial run. Lemhi has been using this for years. Still planning to overlay Yellowstone highway on Sept 12. Have spoken with ITD. Will be doing daytime closures. When they are off the road in the evening will open this back up. May put an overlay on 4100 but will depend on the weather. Have a bridge on Lewisville Highway that needs some maintenance. This was hit and damaged awhile back has a guardrail issue they may also put a deck seal on this. Chairman Raymond said the governor did sign the drought declaration last Wednesday. Commissioner Hancock said as far as water rights have to have the water ran down the specific canal. Having this signed they can combine these canals now and not be canal specific. Mitch asked about a recharge on these. Chairman Raymond said around \$7.2 million was dedicated for recharge. Commissioner Hancock said water is available when they have extra water running down the river. Dave said on Solid Waste did have the Circular Butte hazardous waste day only had three vehicles come in. May

change this up next year and may do it at the Rigby Fairgrounds. Do have another one this Saturday at County Line landfill. Think they will get more here since this is more convenient.

[9:29:22 AM](#) Probation - Tammy Adkins said they have started the addition in their building and have made good progress. Thanks Bryan for getting them with Paul. Had a part-time probation tech who was in school and now wants full-time work which they could not provide. So they need a part-time probation tech this has to be a male. This would be mornings, evenings and weekends. Have been in the process of a juvenile justice reform and just finished this up. Met on August 10 and received a report with recommendations. Have been in the process of creating an implement plan. They do have some things that could be worked on. Will get this together and report back to the commissioners. This has been a good process with some good input. Will move forward with this process glad they moved forward with this. Chairman Raymond said there were five site visits and some off sites. Have ten recommendations to the county. Some of these were just written things. Will need to see some of these changes are implemented with a new prosecutor and his staff. Also could partner with law enforcement to have a data dashboard. Chairman Raymond thinks sharing data with Probation is very successful. Sheriff Anderson said they have met and looked at some tools they could use to share data. Tammy said they have gathered some screening tools. Will be meeting for basic reporting and will be working on getting a plan put in place. Mitch thanks Tammy for having juveniles come and work at their locations. Tammy said they are trying to make these things positive for the juveniles.

[9:38:53 AM](#) Sheriff - Steve Anderson said it has been busy. Had a presence at both fairs. Did the child ID kits again at the Rigby fair. Had two deputies graduate from POST on Friday. Have extra patrols at the headgates. Wants to clarify that Captain Parker is just helping the Rigby Police Department if they need any administrative assistance. Any county personnel that helps the city does get compensated for their time and this has not been a burden to this point.

[9:41:18 AM](#) HR/Emergency Management/Park & Rec. /Commissioner Assistant - Rebecca Squires for Emergency Management have a preparedness fair on September 17. This will be at Rigby High School. This can also be community interest and not just emergency information. This will be in the commons area and the gym. Will be setting up classes for this event. This will be a lot of fun. Will have a lot of vendors and have big prizes. As far as Park & Recreation there is a still a lake there. Attendance has dropped off but that is expected this time of year. Has been a great season. Wants to remind everyone there is no diseases in the lake. Had a cooperative event with Fish and Game last Saturday. The event was free could check gear out and fish in the lake without a license. This was very delightful. A year from yesterday in 2017 will be having a solar eclipse. The campground is already almost full. Have an individual coming from as far as Denmark. Rebecca mentioned that personnel attending the State Fair there had been some changes to the per diem for the state fair but will need to come before the board to get approval. Chairman Raymond said they will amend the agenda to allow Lorie to come back in and discuss this later in the meeting.

[9:46:06 AM](#) Commissioner Hancock reports did get the Great Feeder headgate road opened. Working on architects for the new building and will talk to a few more today. Will be moving forward. Did visit potential Prosecutor offices last Friday.

[9:48:01 AM](#) Chairman Raymond goes over as a follow up on a building they are planning to go to bid mid-spring.

[9:48:22 AM](#) Commissioner Farnsworth said he had gone to St. Louis for a Board of Health meeting. Helpful to hear some of the hurdles they are fighting that we have already fought. No smoking in public places is a big issue. Have a lot of the same issues just on a larger scale. Biggest issue is an outbreak of AIDS in their state. So to combat this they did a free needle exchange. They did this to stop the spread of AIDS. They have to pick their battles and had to stop the spread. Now they have to try and combat the drug use. Discuss big advertisements of places selling tobacco. Have been some discussion about changing tobacco use to be 21 to purchase. Good event and was well attended. Have similar issues but on a smaller scale. Have been moving away from free on their services they have small fees now for visits and immunizations.

[9:57:34 AM](#) Chairman Raymond thanks everyone for coming in.

## **ASSESSOR – CODY TAYLOR**

- **ACCESS IDAHO AGREEMENT**

[10:01:02 AM](#) Cody goes over this agreement was brought in around June to increase the online fee. Will be going from \$1 to \$2. This needs signed or they do have another company that is trying to get their business. Here to see what they wanted to do if they wanted to stay with Access Idaho or explore a different option. Chairman Raymond asked if she has a recommendation. Cody said no she does not want to have it cost the citizens more. Point & Pay is new and has not been used. Cody said around fifty percent of other counties use Point & Pay. Chairman Raymond said would suggest to have Point & Pay come in and make a presentation. Not sure if they would look at changing this for the entire county. Would like to look at contracts with Access Idaho and if they could change companies county wide or if they are under an agreement still.

- **VEHICLE PURCHASE**

[10:05:06 AM](#) Cody has some bids for a vehicle purchase. One is from Tadd Jenkins and the other is from Smith Chevrolet. The Tadd Jenkins includes fees in the price. There is about \$12 difference between the two bids. Cody prefers to go with Tadd Jenkins

since it is local. The pickup she is requesting has better gas mileage. Will be more convenient to get repairs locally. Commissioner Farnsworth said the problem with Smith Chevrolet seems like a price is given but is a different price in the end. This is an extended cab pickup. Chairman Raymond said they have encouraged Cody to get this done in this budget year. Very similar pickups between the two bids.

[10:10:20 AM](#) **Motion by Commissioner Farnsworth to approve vehicle purchase for the Assessor's office from Tadd Jenkins for \$29,815.28. Second by Commissioner Hancock. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

[10:11:26 AM](#) Commissioner Hancock asked about the old pickup. Cody said she has asked Dave about this and have gotten him the information on the pickup. If he does not want this will surplus this.

## **INSURANCE - CARLOS APONTE & MATT WALDRUM**

### **• REPORTS**

[10:13:09 AM](#) Carlos is here to talk about the renewal and where they are at on reports. Goes over the renewal process got renewal numbers in July and are taking a decrease overall. Did push back because of the increased fixed cost. Graph shows numbers from 2014 to 2017 so they could see how amazing these costs have been. Commissioner Hancock said that in 2016 the annual rate was \$248 potential fixed cost was \$274 then across the annual premium is \$277 with a renewal at \$272. Carlos explained that fixed costs are up but the net increase is still down. This is because this is a self-funded program. Fixed cost is going up but the aggregate factor is lower than the fixed costs. Commissioner Hancock said this is due to the claims being down. Discuss the costs of the fixed rate.

[10:21:31 AM](#) Carlos said now Regence and Pacific Source has received some discounts with Eastern Idaho Regional Medical Center. Commissioner Hancock thinks for now they should stay where they are at. Commissioner Farnsworth says he is thrilled that they will not be taking an increase. Carlos goes over the graph. Go over trend increase. Carlos pulls up information on the screen.

[10:29:55 AM](#) Goes over information. Discusses loss ratio he has broken down. Goes over what the county funds and what the employees fund. Are currently overfunding this because this is taking a decrease next year. Should be sitting really well. Took what has been paid into the HRA and feels this is on track to hit \$98,000 in claims. Last year was around \$94,000.

[10:35:05 AM](#) Funding the HRA with \$98,000. This is where you take that amount plus the loss ratio which puts this at around seventy percent in the fund. Goes over some examples in his spreadsheet. Carlos said he would be comfortable taking no increase. This is a risk factor. While visiting sometimes are unknown on how many employees will come in with a family or as a single. This is based off of an estimate on today's employees. Have not had multiple major claims. Blue Cross does not think they will either after reviewing the last three years of claims data. Most counties have health, dental and life. Being self-funded they are able to fund the HRA, the life insurance and dental. Carlos thinks this should be reflected onto the employees. Would not want to give the employees an increase if they fund at the same level with the discount. Does not know on the HRA or dental. Would recommend that employees have not taken an increase in dental in years so this is where they could take an increase if needed. Colleen mentioned she padded the medical budget with two percent to help fund the HRA. Carlos said they may need to start to reconcile on where the funds are going in the future. The dental insurance has been the same since 2004 and has always been funded. The dental is currently low. Matt Waldrum said there is no increase in the life insurance.

[10:45:55 AM](#) Chairman Raymond said they do not currently know where they are yet. Carlos thinks they are fine taking no increase in the budget. Carlos recommends to reward the employee with no increase on the medical insurance. Only reason to maybe increase the dental is they have not had an increase in a long time. The rate right now on dental is low. Carlos asked if they are okay with Blue Cross. Commissioners all agree they are. Adding additional premium on the dental giving a couple dollar increase would be around \$3,000. Carlos said it's been years since they did take an increase in dental. Carlos said with Colleen adding two percent into the budget this will give them a cushion.

[10:51:05 AM](#) Last thing is the Teladoc program. This is not used to much in year to date have had fourteen employees complete medical history. Had seven that would have gone to an Emergency Clinic. Out of the eight consultations seven received prescriptions. These had been for antibiotics. May need to advertise this more and mention this in management meetings.

[10:52:40 AM](#) Rebecca said she has asked some employees. Some have had a negative response with not getting the prescription that they needed. Carlos said that seven of eight did get a prescription. This will take some time for employees to utilize this. Commissioner Farnsworth said come this winter thinks this will be used more in the winter when colds are more frequent. Carlos said with Obama Care should let the employees know within sixty days if an increase is going to be given.

[10:56:55 AM](#) **Motion by Commissioner Hancock to amend the agenda to allow Lorie Dye with the Extension Office to come in and speak about the per diem for the staff to go to the Eastern Idaho State Fair. Second by Commissioner Farnsworth. All in favor – aye. Motion passed.**

[10:57:31 AM](#) Lorie appreciates having the travel policy updated. Goes over the per diem rates usually go off of state rate. Lorie said the state rate is \$45 a day or breakfast at \$11.25, lunch at \$15.75 and dinner at \$24.75. Lorie said the issue is they have no receipts at the fair. Cannot leave the fairground so they would take whatever they think is acceptable. Are at the fair from 6am to 10pm. Commissioner Hancock thinks by doing a flat rate so a receipt is not required since these are hard to obtain. Chairman Raymond recommends \$35 a day per person for full days that they attend the fair to be reimbursed after the fair is over.

[11:01:53 AM](#) **Motion by Commissioner Hancock to approve a per diem rate of \$35 a day for the Eastern Idaho State Fair. No receipts are required this is for fair staff for full days at the fair which will be reimbursed after the fair. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

[11:03:31 AM](#) Recess

Open session 11:08

### **SOCIAL SERVICES – GAIL ROBBINS**

- **EXECUTIVE SESSION 74-206(D) – RECORDS EXEMPT FROM DISCLOSURE**

[11:08:29 AM](#) **Motion by Commissioner Hancock to go into executive session 74-206 (D) – Records Exempt from Disclosure. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed. Fred Martinez is in attendance for this session.**

Open session 11:58

[11:58:57 AM](#) **Motion by Commissioner Farnsworth that on case #2016-30 to suspend, on case #2016-43 to deny on lack of cooperation, on case #2016-38 to deny on lack of cooperation, on case #2016-15 to deny on lack of cooperation, on case #2016-39 to deny on lack of cooperation, on case #2016-22 to deny with possible ability to pay and on case #2016-41 to deny on possible ability to pay. Second by Commissioner Hancock. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

[12:00:40 PM](#) **Motion by Commissioner Hancock to accept an offer of \$10,000 payoff on case #2005-457 as long as the CAT fund will also agree. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

[12:01:56 PM](#) Commissioners sign liens.

[12:01:56 PM](#) Recess

Open session 1:03

### **PLANNING & ZONING – NAYSHA FOSTER**

[1:05:47 PM](#) Paul Ziel is in the room for legal counsel.

- **SNAKE RIVER ESTATES 2<sup>ND</sup> AMENDED PLAT – BRUCE BAXTER – cancelled**

[1:03:18 PM](#) Kevin Thompson from Thompson Engineering. Are here to submit the 2<sup>nd</sup> amended plat. What they have are the proposed to the outside dimensions. This is the 2<sup>nd</sup> amended plat. This is not the correct plat. Naysha said that no one is here for the Snake River Estates amended plat and does not have any mylar copies on this so this will need to be postponed.

- **PUBLIC HEARING – 2<sup>ND</sup> AMENDED PLAT COTTONWOOD – KENDALL SHIPPEN**

[1:05:31 PM](#) Chairman Raymond goes over the public hearing procedure for this. Paul Ziel adds that on the three minutes of testimony they can allocate their time to someone else. Tracy Baxter said that they have worked their testimony to fit within the allowable time. Chairman Raymond said that if they can focus on the testimony that has not been submitted in writing. Commissioner Hancock asked Paul on their right to appeal this decision. Paul said they do not know a decision yet but if they do feel they need to appeal this would go to the District Court. Paul said he would recommend they get their own attorney because they will have a limited amount of time.

[1:10:43 PM](#) Sherry Lufkin with the Assessor's office she does the mapping and platting for the county. In determining ownership on the 2<sup>nd</sup> amended plat of Cottonwood. She had never seen a subdivision like this before. Contacted local Idaho Department of Lands wanted an area representative because of the uniqueness of the area. Spoke with Pat Brown who is the area manager in the Idaho Falls office about who owns the bottom of the dry bed of the Snake River in Jefferson County. The state currently has not asserted a claim on the dry bed of the Snake River. This is not listed as navigable. Sherry was specific with question because the dry bed is a unique body of water. This is a hybrid delivery system and has multipurpose and is managed by local canals. There are only two in the state. The dry bed is unique and not claimed by the state of Idaho. In 1943 a patent record was conveyed as the north half of the south east quarter being eighty acres with no mention of any body of water. Goes over this property. In 1986 have a deed from Helsing to Shippen which did not include the dry bed. Agree this deed did not include the dry bed but the deed they need to look at is instrument #304112 this was from May 17, 1994. This warranty deed from Helsing to Shippen gives exceptions on the land that was already

deeded which is the portion north of the dry bed. What is left is property that is later developed as Riverside Estates and the dry bed. Shippen developed Riverside Estates so what is left is the drybed. Sherry had wondered why the dry bed was not assessed a parcel number back in 1994 but since this is public right-of-way this is a category 19 which is wasteland and no taxes are generated. Looking at all the historic maps for the southeast quarter of section 9 township 4 north range 39 east that as a county mapper she has determined this is privately owned and the records and maps verify this information as well as the Idaho Department of Lands who does not claim the bed of the dry bed of the Snake River.

[1:18:14 PM](#) Kevin Thompson at 215 Farnsworth Way with Thompson Engineering will be representing Mr. Shippen. Showing the 2<sup>nd</sup> amended plat of Cottonwood. Are presenting three lots with the average size being five acres. Lot six was originally part of the Cottonwood subdivision that was approved in 1976. Will be combining some parcels from the west side into lot six. Both lot six and lot eight have homes on them. Kendall has a home on lot eight and lot six had a home that was just finished this last year. So they are looking for one more buildable lot in this area. The Health Department has approved this. Have meet with Planning & Zoning Commission and they have recommended approval of this final plat. Kevin asked if they have any questions. Chairman Raymond asked the acreage Kevin said that lot six is 5.04 acres, lot seven is 3.73 acres and lot eight is 6.28 acres. Commissioners have no other questions at this time.

[1:21:44 PM](#) Chairman Raymond looks at the signup sheets and opens the public hearing. No public in favor in attendance. No public neutral in attendance. Have four opposed to this that do not wish to testify and have four opposed who do wish to testify. Chairman Raymond asked if they are going to want to pool their time. Sharon Baxter said they will focus on her testimony and Carmel James' testimony.

[1:22:45 PM](#) Carmel James 4182 E 460 N as a community they have come in to address their concerns. This hearing was held in a packed room full of homeowner's who were opposed. It was shown by Sherry that Mr. Shippen does own the dry bed but does not pay taxes on this. Mr. Clark's decision goes over the dry bed being wasteland since the land is not usable. If this is the case how can this land be considered as useable especially for financial gain. This area gives them enough room to have this land be buyable. Carmel reads quote from Mr. Clark "In my opinion the differentiation between lots and parcels is a deficiency in the ordinance that should be corrected". Carmel said that if in their opinion land classified as non-usable and not taxed should not be used. If this is a deficiency feels this needs to be corrected. Carmel goes over this cannot even have its own septic system this would be under Mr. Shippen's driveway. The drain field and back up drain field are both on Mr. Shippen's property. Can reference sewer easement #42156 recorded February 2, 2016. In the Planning & Zoning meeting in April they emphasized this is an R5 zone. Mr. Albertson stated that approving this cluster home is no difference than a farmer having forty acres and wanting to have some homes. Our neighborhood is zoned and thinks this should be kept as such. Feels this would have a negative effect in the county. Feels that neighbors in other areas that also have R5 zoning could and should be allowed to happen anywhere. Carmel asked on the proposed lot six this is currently lot three in an existing subdivision. Thought they were told by Naysha that they could not pull land from other subdivisions. Regret to inform them that the biggest obstacle has been working with Planning & Zoning Naysha Foster. Carmel feels Naysha should be expected to represent all homeowners. Does not feel they have been given the correct information. During the Planning & Zoning meeting they were told they had three minutes to testify and in the Planning & Zoning meeting they were only given two. Also had not been given the correct info on the appeal process. Carmel goes over some questions that were brought up to Planning & Zoning. What does it matter that they are an established R5 zone? What does it matter that the small proposed road they use is already accessed by the maximum six homes? What does it matter that there was an illegal split? What does this matter that thirty-three percent of the land needed for this proposed amendment is not classified as unusable land? What does it matter that wetlands are involved? Feels these questions were brushed aside. Are here to ask the county commissioners to please look at all of these concerns.

[1:29:47 PM](#) Sharon Baxter 4174 E 460 N. Sharon is opposed to this. Did submit an aerial map and has this blown up to give them. Sharon said while they have researched this has asked a lot of questions. Lot three is in a subdivision already. Thought subdivisions could not be added to or sold. So with the 2<sup>nd</sup> amendment to this it is confusing. Sherry did mention the warranty deed from the Helsing to Shippen. Thought she had heard her say this was not recorded because this was a public right-of-way. Spoke with Cleve Strong who had recommended them speaking with Pat Brown about how the state has not asserted control over the dry bed but this does not mean this could not at some time. The wetland shows the dry bed going through the Shippen property. The letter received by Planning & Zoning said this abuts the dry bed a channel of the Snake River. Shippen was advised there was wetlands in 2015. At the end of the first page it recommend the subdivision plat should include a delineation of the wetlands. Sharon does not see anything on this. Also recommended the plat mapping through notation of the title going over wetlands. Sharon said when this was submitted this was said to be northeast of the dry bed. In the Planning & Zoning meeting Mr. Stoddard asked what difference it makes if this is on three acres not five acres. Sharon said that R5 zoning set backs are different than clustering. Goes over clustering. Asked if landowners combine their land Sharon was told by Naysha that land cannot be combined it cannot be added or sold. Sharon asked if there is even the right amount of land. Complaints are the setbacks, the sewer cannot be on the property and their driveway. Submitted a picture of the dry bed. This will affect them immensely. Sharon goes over on a picture of the area.

[1:38:12 PM](#) Chairman Raymond has a question for the assessor assuming parcels of property that lie under a right-of-way are not taxed. Like on county roads where the land is not beneficial to the landowners so this is not taxed. Sherry said if this is a public right-of-way it is deemed as a category 19 which is wasteland but it has to be public right-of-way to be this.

[1:39:54 PM](#) Kevin Thompson comes back up for his rebuttal. Kevin already has the approval with various government agencies. The Health Department has approved the location of the septic system. Whatever they record will be in public record because this is required. The setback on the drybed and wetlands will be right along the edge of the bank of the dry bed. Have an eighty foot set back so will not have to worry about wetlands because they are eighty feet off the bank. Has a trade publication called POB. Kevin reads a section by Jeff Lucas a land surveyor about navigability.

[1:44:27 PM](#) Commissioner Farnsworth asked about the septic system. Kevin said on the septic system they have a 300 foot setback. This is a new requirement by the Health Department. So in this case they have it set back 300 feet and is put on lot eight. It is on lot eight and has a recorded easement that has been established as required by the State of Idaho. Kevin said that Mr. Shippen still owns both properties. This has a legal instrument giving an easement to the septic tank. Commissioner Hancock asked about the private road off of 4150 E. Kevin said this is a private road created by Mr. Shippen. Mr. Shippen's home was the first home in the area. The other lots have been sold and traded back and forth. This road is not a sixty foot dedicated road. Commissioner Hancock asked what the difference between a lot and a parcel is. Kevin said to create a lot it has to come before board for approval. If you have forty acres and sell some for a home they would just create another parcel. Typically a subdivision plat makes this easier for the assessor. Instead of having a meet and bounds description they have a lot block section description. In county ordinance they are allowed three accesses off of a private road. Mr. Clark in his explanation said the ordinance may need to be updated.

[1:51:57 PM](#) Paul recommends if they are going to get back into asking questions may be going away from proper procedure. Chairman Raymond said today they are here to make a decision on the 2<sup>nd</sup> amended plat on Cottonwood. Will close the public hearing section.

[1:54:09 PM](#) Sharon speaks. Paul said the public hearing is closed so the public needs to refrain from speaking. This is now time for the commissioners to deliberate. Commissioner Hancock said this is public so they know what is going on. They have to also look at what is recommended by Planning & Zoning and if they have done things the correct way. There may be questions from the citizens out there. Planning & Zoning recommended they do have the right. Commissioner Farnsworth finds there is a hardship with the septic tank on another person's property finds this odd that this would be approved but according to the Health Department they have approved this. Commissioner Farnsworth is also concerned about the road it may be inadequate. Commissioner Hancock said have found a loop hole in the ordinance.

[1:57:27 PM](#) Chairman Raymond said he has studied all of the information provided. Understand where the folks who are opposed are coming from. Have experienced some of the same things himself that has been put into testimony. If the roles were reversed they would need to be just as diligent. Realizes this is obviously an emotional issue. There was a split vote with the Planning & Zoning. The chairman of the Planning & Zoning did some research and did another vote to recommend approval. Chairman Raymond goes over some of the issues that the chair of the Planning & Zoning had researched. Commissioner Hancock said this is an R5 zone and they are mixing parcels with subdivisions. Steve Burton with Planning & Zoning answered yes this can be done through a clustering permit. Currently some of the area is not platted so they are adding this to this amendment as well.

[2:01:31 PM](#) Paul Ziel said one question he had is Mrs. Baxter had brought up on lot six part of this is in a different subdivision. Discuss the plat and the lots. Doing this allows them to get enough acreage for this to have a buildable lot. Steve believes this is owned by Mr. Webster. Paul does not have anything from a legal standpoint. Chairman Raymond goes over what was written by the Planning & Zoning chairman.

[2:05:58 PM](#) Mrs. Kettle clarified that proposed lot six is actually part of a different subdivision and was lot three.

[2:06:48 PM](#) Commissioner Hancock asked Steve if this is allowed within their ordinance. Steve said yes it is allowed. Paul goes over that this can be used as a clustering permit since it is contiguous. Commissioner Farnsworth looks at the area and how much area there is. Commissioner Hancock asked if they are allowed to cluster land from an existing subdivision. Steve said he is clustering that land as well as adding additional land.

[2:10:52 PM](#) Sherry Lufkin comes in on a piece that is contiguous to Shippen property. This is a rural parcel not part of the subdivision on the west side of Cottonwood. This is owned by Mr. Webster and is not part of the subdivision. Commissioner Hancock asked if they can take land from an existing subdivision. Paul is not completely sure on this since he is step in legal counsel. Look through paperwork on clustering subdivisions.

[2:13:16 PM](#) Paul reads from page 79 of the county zoning ordinance section 3.12.1 - Purpose "The purpose of cluster development is to permit a procedure for development which will result in improved living and working environments; which will promote or encourage a variety of types of residential dwelling; which will encourage ingenuity and originality in total subdivision and individual site design; and which can preserve open space to preserve recreational, scenic, agricultural, and public service purposes, and other purposes related thereto, within the densities established for the clustering. To achieve these goals: 1. Permit a variety of lot / parcel

sizes. 2. Permit a greater variety of building types in Residential, Recreational and Agricultural Zones. 3. Procedures are established to assure adequate maintenance and restricted use of open space areas for the benefit of the inhabitants of the subdivisions or for dedication to the public use or for the purpose of agricultural use. 4. Procedures are established to assure adequate protection of existing and potential developments adjoining the proposed planned unit and cluster development.” Goes on to cover sizes. Paul reads section 3.12.3 Approval for Cluster Development – “Cluster development may be constructed in accord with a Preliminary Subdivision Plan. Clustering plats consisting of four or less lots may be allowed through an administrative platting process. All other clustering developments may be allowed through an administrative application when proposed with and eligible for division of property, without requiring a subdivision plat.”

[2:16:13 PM](#) Chairman Raymond reads Mr. Clark’s explanation. Commissioner Hancock still does not feel this answers his question on if they can take the property that was in a subdivision and move this into a different subdivision.

[2:18:00 PM](#) Paul goes over he believes with the ordinance it is allowed since this is contiguous.

[2:19:21 PM](#) Re-open the public comment to allow Kevin Thompson to go over this question. Kevin goes over the old Cottonwood development. When the access road was put in they meant for this to run along the side of this lot. But it did not it cut through a portion. The Williams owned that so they deeded this to whoever owned the other piece. Technically this portion is outside of the subdivision and was never part of this subdivision. Kevin said by combining these they are making this conformed by combining the two extra parcels to concur with county code.

[2:21:46 PM](#) Commissioner Hancock makes the comment that they are looking at whether this is legal and if this is in violation of the ordinances. Chairman Raymond said the decision is if they uphold the Planning & Zoning decision or deny it. Commissioner Farnsworth does not like they have to put the septic on other land. Feels this has been attacked by loopholes and deficiencies with county ordinances.

[2:22:00 PM](#) **Motion by Chairman Raymond to uphold the Planning & Zoning decision as it relates to the 2<sup>nd</sup> amended cottonwood plat. Commissioner Hancock said that he does find issues with this but legally they have made this work and it meets the legal requirements. Second by Commissioner Hancock. Commissioner Farnsworth said he is with Commissioner Hancock this is a blocked up botched up mess but legally and by the ordinances this is allowed. Roll call taken.**

**Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

[2:25:44 PM](#) Tracy Baxter mentioned this is going to be appealed. Paul mentioned that once the decision has been approved they have little time to appeal this. Steve said that the minutes will be approved and they will be notified. Paul said that he wants to make the appellant aware of their rights and this has strict time frames would suggest getting an attorney. Tracy asked if they are going to appeal this how they can stop Mr. Shippen from starting construction on this. Paul said they should speak with their attorney on this. They would have remedies to stop building on this.

[2:28:52 PM](#) Recess

**Open session 2:32**

- **EXECUTIVE SESSION 74-206 (F) – LEGAL**

[2:32:10 PM](#) **Motion by Commissioner Farnsworth to go into executive session 74-206 (F) - Legal. Second by Commissioner Hancock. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

[2:47:54 PM](#) **Open session 2:47**

[2:48:00 PM](#) **Motion by Commissioner Hancock to give permission to Paul Ziel on West Equestrian Estates to move forward and have a declarative action to find out who is the developer. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

## **ROCKY MOUNTAIN POWER – TIM SOLOMON**

- **GENERAL UPDATE**

[2:49:43 PM](#) Tim Solomon is here with Rocky Mountain Power. Wanted to give them the opportunity to ask any questions about the recent power outage. Tim said during the power outage there were several counties contacting him. Wants to thank Rebecca for her contact and the way this outage was handled by her making sure she had the correct information and getting this out to the community. Did have one city that wanted to pull the trigger on this being an emergency saying this was going to be a six day outage. This shows how fast communication can get out of control. Felt they were able to text back and forth and get the correct information out there. This was about a two hour outage. Tim asked if they have any questions.

[2:53:24 PM](#) Chairman Raymond said that it was not thirty degree below and all of the emergency equipment tested fine which is always a good thing. Feels that every time this happens they appreciate all they have with a switch of a light switch. Tim said he had been coming back from Texas when this had happened.

[2:55:03 PM](#) Had a lot of individuals that appreciated the information that was available. With the communication features they were able to know what to do if an outage does occur. Did a root cause analysis. Goes over the reason for the outage. Have taken some protective measures due to this issue. Thanks them for the way the county worked with them.

[2:58:17 PM](#) Rebecca feels they built a lot of capital with individuals that day. Things that were projected did work out and people were glad to be informed. Go over some other power outages.

## **EMERGENCY MANAGEMENT – REBECCA SQUIRES**

- **PREPAREDNESS FAIR CONTRACT**

[3:07:24 PM](#) Rebecca said with the preparedness fair is on September 17 are working with Madison Memorial Hospital. Need to have a contract with Madison Memorial to allow them to provide market and advertising for this event. This contract authorizes up to \$4,000 for market and advertising costs for the event.

[3:08:19 PM](#) **Motion by Commissioner Hancock to accept the preparedness fair contract for advertising with Madison Memorial Hospital to not exceed \$4,000. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

- **2016 SHSP AGREEMENT**

[3:09:09 PM](#) Rebecca goes over this is to accept the grant money starting in October 1, 2016 until April of 2018 for \$44,877. Rebecca said they have approved the grant application already this is to accept the grant money.

[3:09:51 PM](#) **Motion by Commissioner Farnsworth to accept the 2016 SHSP Grant for \$44,877. Second by Commissioner Hancock. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

## **COMMISSIONERS**

- **680 NORTH**

[3:11:35 PM](#) Dave Walrath is here about 680 North this road is in awful condition. Commissioners' received a letter complaining about this road. Dave thinks this pavement needs to come out first because this is in bad shape. Looking at around \$32,000 to pave this road. This road has two houses on it. Commissioner Farnsworth said he has looked at this road and his thought was to tear it out and put this back to a gravel road. Dave said this would be up to them. Dave said they could do this in a day once it was cleaned up but is it worth the expense for two homes. Chairman Raymond thinks they could go back to gravel as well. Dave said he was aware it is in awful condition but needs to think of where they should focus their efforts.

[3:16:37 PM](#) Chairman Raymond asked if a good gravel road would be better. Dave said yes the road is horrible now. Rebecca asked if they would like her to respond to the letter. Dave said they usually respond when they get an official letter. Dave mentioned that their crushing bid is being advertised on the website currently.

- **SIGN CERTIFICATES OF RESIDENCY**

[3:19:59 PM](#) **Motion by Commissioner Hancock to approve certificates of residency for the College of Western Idaho for Diana Garcia. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

[3:20:18 PM](#) **Motion by Chairman Raymond to approve certificates of residency for North Idaho College for Jakob Bradley. Second by Commissioner Hancock. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

[3:20:47 PM](#) **Motion by Commissioner Farnsworth to approve certificates of residency for College of Southern Idaho for Jade Avery, Haylie Berggren, DuWayne Brown, Hailey Brown, Shakalah-le Brown, Sarah Close, Zebulon Graham, Dustin Hodson, Michelle Lang, Valerie Rawlins, Alexis Ramirez, Seth Reis, Kinsley Sorensen and Kevin Sumrell. Second by Commissioner Hancock. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

- **SIGN LIQUOR LICENSE**

[3:23:08 PM](#) Commissioners sign liquor licenses.

- **SEPTEMBER 26 MEETING CHANGE**

[3:29:03 PM](#) Discuss meeting changes in September. Will be having a budget public hearing on September 6, 2016 may add some items to this meeting. Will have the regular meeting on September 12 and possibly meet on September 16, 2016 to approve L-2s.

- **APPROVE COMMISSIONER MEETING MINUTES**

[3:29:15 PM](#) **Motion by Commissioner Hancock to approve commissioner meeting minutes from July 11, 2016 as amended. Second by Commissioner Farnsworth. All in favor – aye. Motion passed.**

[3:32:21 PM](#) **Motion by Commissioner Farnsworth to approve commissioner meeting minutes from August 8, 2016. Second by Commissioner Hancock. All in favor – aye. Motion passed. Chairman Raymond abstains from voting.**

[3:37:44 PM](#) **Recess**

**Open session 3:42**

- **NEW BUILDING UPDATE**

[3:43:04 PM](#) Architect firm CRSA Kevin Dekold is in attendance. Kevin has been a licensed architect for years in Idaho Falls. Have been working with different universities. Brandon Pullin is now in attendance and is also an architect with the firm.

[3:43:53 PM](#) Kevin said as architects their work is done relatively fast. Kevin asked the size of the project. Commissioner Hancock said this will be right next door and not real sure on the size will need to look at what their options would be. Looking at a minimum of 10,000 square feet. Kevin said they have worked at all budget levels. Would have the engineers be part of their group. They can work on this in a timely manner.

[3:48:02 PM](#) Kevin goes over specialized experience they have done a lot of office space for municipalities. Have done work for retailers and developers. Need to figure out what they want and need to look at quality. CRSA has some of the best programmers around. Always working themselves out of a project. Commissioner Farnsworth is looking to get right on this. Would like to have an architect picked within the next thirty days. Kevin said beginning this project will not be an issue. Feels bidding in January or February is the best way to control costs.

[3:52:11 PM](#) Not sure on what type of build they are going to look at. Commissioner Hancock thinks they need to do the best option for them. Kevin thinks this is a lot to do with the flexibility of the budget. Bottom dollar pricing or can do traditional build will get the lowest price on bid day. Likes when contractors are on board with construction. Commissioner Hancock said they had spoken with Bonneville County who used a contractor that had a project manager as well. Kevin said he has worked on a lot of projects where cost saving method was used. Kevin thinks incentives are a great tool. Kevin had been a general contractor for half of his career. He personally likes to work side by side with the contractors.

[3:56:02 PM](#) Kevin feels that quality is part of programming along with what they want the size to be. They would also be telling them what the levels of finish is. They are onsite during construction every week or so. During design will need to have the county representative in on the design meetings.

[3:57:50 PM](#) Brandon mentioned they do have a specialist in drawing in their office.

[3:59:17 PM](#) Kevin said as far as fees they usually work off of lump sum fees. Feels they are competitive. Knows when they have budget things would be more efficient. For 10,000 square feet would be around the six percent range. They still invoice monthly depending where they are in the design phase. Goes over the phases.

[4:02:41 PM](#) Commissioner Hancock goes over the kind of help they are looking for. Kevin said they would go with a kick off workshop. Have introductions. His philosophy is to do what is right for the consumer. Can do flat roofs but they have to be designed well. Rebecca asked about the mechanical system. Kevin said they have mechanical engineers to choose what is appropriate for the design.

[4:07:09 PM](#) Kevin asked what the budget is. Chairman Raymond said they will know more in two weeks. Kevin asked about the use for the space. Commissioner Farnsworth goes over what this area would be used for. Rebecca mentioned security issue between Prosecutor and Probation. May also look at going two stories with a basement. Go over possible subwater issue.

[4:11:20 PM](#) Kevin asked about the different departments that were named who will make the decisions. The commissioners will be the final decision but will take in information from the departments they will be housing in the building.

[4:13:10 PM](#) Commissioner Hancock asked why they should choose their firm. Kevin knows they have a lot of good firms. Does not believe anyone would out serve them. They respect everyone and work together well. Commissioners thank them for their time.

[4:54:30 PM](#) Back to the new building Chairman Raymond brings up the possible purchase of the accountant building. Commissioner Hancock said it would be \$564,000 less to put into a new building. Chairman Raymond said this would house at least three departments. Commissioner Hancock is not sure the layout they have would work for what they need. Commissioner Farnsworth said he may want to wait until after the budget is finalized to see where they are. This may be a resort to look at if there is not enough budget to build. Commissioner Farnsworth thinks this is a nice building for the money.

[4:58:07 PM](#) Rebecca said as far as Probation they would utilize a larger conference room and a small classroom. The building is beautiful but does not have a good size conference room. Commissioner Farnsworth said if they build they could keep an area open to house the Food Bank. Colleen mentioned she would like to have it here for convenience. Chairman Raymond brings up may also need an office for a defense attorney.

[5:02:13 PM](#) Commissioner Hancock brings up architects. Have contacted Alderson Karst & Mitro Architects who felt they may be too busy to take on this project. Chairman Raymond said they have had some very good firms come in already who are able to take on the project. Commissioner Hancock said he will not pursue anymore. Was impressed with who has come in. Will need to narrow this list down and have a couple come back in for further questions.

**HUMAN RESOURCES – REBECCA SQUIRES**

• **EXECUTIVE SESSION 74-206 (B) – PERSONNEL**

[4:17:46 PM](#) Motion by Commissioner Hancock to go into executive session 74-206 (B) - Personnel. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.

Open session 4:50

[4:50:52 PM](#) Chairman Raymond said they have received some information from an employee. No action taken and no decision made.

**COMMISSIONERS**

• **APPROVE CLAIMS**

[4:51:16 PM](#) Discuss issue with the claims.

[4:53:42 PM](#) Motion by Commissioner Hancock to approve claims from 8/15/2016 to 8/19/2016 for \$317,014.25. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.

• **BUDGET**

[5:04:55 PM](#) Colleen mentioned in court training there were some discussion on the fee for the capital crimes defense fund is \$10,000. Spoke with Dan Blocksom who said he thinks the defense commission would work with them to get back into this fund and will try and find an amount.

[5:07:34 PM](#) Colleen asked on the Clerk, Assessor, and Treasurer have the raise issue that had been requested. Chairman Raymond thinks all elected officials need to be addressed at the same time. Colleen goes over did change in the assessor capital vehicle line brought this down since she just bought a vehicle. On Justice Fund the revenues the Sheriff have given are still a little down from last year but the actual numbers were around \$400,000 more. Had to take from PILT still for the Justice fund. The revenues were not where they should have been. Have an issue with the District Court and the Fair as well. Colleen said that they had Tri County in twice so she took this out of District Court budget. Go through the budget. On the prosecuting attorney the salary is \$78,000 due to the three months that Robin will still be in office. Commissioner Farnsworth goes over the prosecutor is going to be full-time, have a full-time deputy and a part-time deputy. Commissioner Farnsworth does not foresee them needing the part-time attorney at least not in the beginning. Go over the full-time and part-time deputy positions and their pay. Commissioner Farnsworth does not want to short him but does not want to throw a bunch of money at this either. Colleen goes over on the rent/lease building line for the prosecutor this includes nine months for Paul at \$2,000 and three months for Robin at \$2,500.

[5:21:27 PM](#) Colleen said looking at the numbers the cash is up but it is hard to balance levy rates. Chairman Raymond throws out if this is a problem and they have more in the general fund they could lower the levy rate for a year. Did put \$600,000 in capital building. Colleen said they will be taking some unrestricted money and putting this toward District Court as well. Colleen goes over the capital improvement funds. Would this fund still be showing and inflating the budget. Colleen will look at where they can transfer some funds. Will have another budget meeting on August 30 at 8:00. Chairman Raymond brings up COLA. Last year had given one percent. Chairman Raymond said to run the numbers with a \$2 increase on the dental insurance and a two percent COLA county wide. Chairman Raymond said to also bring the elected officials back down and give everyone in the county the two percent COLA. Will meet again to look at these numbers on August 30.

[5:37:55 PM](#) Motion by Chairman Raymond to adjourn at 5:37. Second by Commissioner Hancock. All in favor – aye. Motion passed.

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*Chairman of the Board*

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*Date*

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*Clerk of the Board*

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*Date*

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*County Clerk*

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*Date*