

**Special Jefferson County Commissioner Meeting Minutes
September 6, 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, Clerk Colleen Poole; Audrey Moon is clerk of board. Pledge of Allegiance lead by Commissioner Farnsworth. Prayer offered by Colleen Poole.

COMMISSIONERS

• **RESOLUTION #2016-24 – OPEN FISCAL YEAR 2015-2016 BUDGET**

[9:00:49 AM](#) Chairman Raymond said first they are looking at their fiscal year 2015-2016 budget. Colleen said they are opening the current budget due to two funds that were overexpended. Have Junior College Fund this has been overexpended in the amount of \$28,950 they have the revenue and cash to cover this. The Waterways Fund is also overexpended commissioners approved the purchase of dive team equipment in the amount of \$12,594 only had \$8,000 budgeted the actual amount spent was \$11,712 causing an overexpenditure of \$3,712. The Justice Waterways fund has the revenue to cover this. Total additional expense to the 2015-2016 budget is \$32,662.

[9:03:01 AM](#) Chairman Raymond reads resolution #2016-24: “ At a meeting of the board of Jefferson County Commissioners, State of Idaho, on the 6th day of September, 2016, the following was adopted to wit: Whereas, the Junior College Fund has been overexpended in the amount of \$28,950; and Whereas on July 25, 2016 the Jefferson County Commissioner authorized expenditures from the Waterways Fund in the amount of \$12,594 for the purchase of dive team equipment and the actual amount spent was \$11,712, causing an overexpenditure of \$3,712; Be it therefore resolved that the Board of Jefferson County Commissioners hereby authorize the following to be added to the 2015-2016 fiscal year budget : Junior College Education Tuition/Registration \$28,950 and Waterways Miscellaneous Expenses \$3,712 for a total additional expense of \$32,662. Approved and adopted this 6th day of September, 2016.”

[9:04:18 AM](#) Commissioners all knew these items would be over budget. Commissioner Hancock asked about the amount for the Junior College that was spent this year. Colleen said they have upped this to \$100,000 for the next budget have used around \$96,000 this year.

[9:05:35 AM](#) **Motion by Commissioner Farnsworth to adopt resolution #2016-24. Second by Commissioner Hancock. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

• **RESOLUTION #2016-25 - ADOPT 2017 BUDGET**

[9:06:05 AM](#) Colleen reads resolution #2016-25 Adopting 2017 Budget: “Whereas, Idaho Code Section 31-1605 requires a public hearing upon budget appropriations; and Whereas, the Board of County Commissioners met in the Commissioner’s room at the Jefferson County courthouse on Tuesday, September 6, 2016, pursuant to designated published time; and Whereas, the Board has utilized the forgone amount of \$7,535 in the levy for Jefferson County and intends to use this amount to furnish, supply and assist in funding the Prosecuting Attorney budget; Therefore be it resolved, pursuant to said hearing, the Jefferson County Board of County Commissioners intends to utilize the forgone amount of \$7,535 and has determined and fixed the amount of the fiscal year 2017 budget in the amount of \$20,021,936.00 which is not greater than the amount of the published tentative budget nor does it include an amount to be raised from property greater than the amount advertised.” Colleen explains forgone amount. The new legislation wants this to be designated this year. The greatest expense will be the Prosecutor budget since this will be the largest expense this year. Chairman Raymond asked if there was any discussion they would like to have.

[9:08:12 AM](#) Commissioner Hancock makes a statement saying they are moving \$1.3 million from PILT and including \$600,000 for capital projects. This is money that has been saved and this will be used primarily for capital purchases. Will most likely be for the new annex building. Colleen said that is why the budget does seem higher is they have to move this into the budget if they plan on spending this during the year. Chairman Raymond said the levy rate is roughly \$6.3 million. Also have increased revenue from highway user fees with the increase in fuel tax. Have a portion of sales tax. Chairman Raymond asked Sheriff Anderson if the west side resource officer is included in this budget. Sheriff Anderson said that both portions are included in the budget.

[9:10:41 AM](#) Commissioner Farnsworth appreciates the work the clerk has put into this. This has been his fourth budget and he did not have as much stress this year. Colleen said she will have a resolution for transfer of funds at the next meeting.

[9:11:21 AM](#) Chairman Raymond said an assumption in the budget included in the \$1.3 million this is assuming that the federal government makes their PILT payment this year. This has been historical so they do not know what this may or may not be. Colleen said if this does not come in they will not expend that amount. Chairman Raymond opens public hearing.

[9:12:13 AM](#) Pat Scott has questions on the Prosecutor budget. From what she understand the prosecutor will receive \$85,000, deputy prosecutor will receive \$65,000 and the part-time prosecutor will receive \$34,000. Chairman Raymond corrects that the part-time will receive \$55,000. Was in the meeting when the county said she would move toward a full-time prosecutor thought it was said

that they would keep the salary the same. The current salary is \$62,500. This was increased by \$22,000 and the new prosecutor has not served a day in the position. Have \$65,000 set for a full-time deputy. This is a lot of money. Since the budget starts October 1 will Mr. Dunn receive a portion of this? Knows the prosecutor had asked for \$95,000 but thinks they should have only increased this minimally for the first year. The office will now have two full-time people and a part-time person to fulfill three part-time positions. Has there been anything showing that this much time will be needed?

[9:15:39 AM](#) Chairman Raymond remembers they had decided not to declare a salary amount at the time of deciding on a full-time prosecutor. Commissioner Hancock said to clarify they looked at all of the prosecutor attorneys within similar counties. Had looked at surveys on these amounts. Commissioner Hancock thinks the prosecutor will be having a larger role. The problem with deputies is many times three individuals are required in different areas at the same time. Commissioner Farnsworth said they are not sure how this is going to play out. Feels this is better to plan high and see how it goes. If they cannot show they need a part-time deputy next year this will be taken out.

[9:18:08 AM](#) Cheryl Hively asked if this budget will be per diem. Commissioner Farnsworth said that this is now off of line items. They are not sure how he is going to perform. Hope that he will perform to a high standard and they think he will. Commissioner Farnsworth said that he will not get the full \$85,000 because they will take out Robin's three months left at the part-time rate. Then will pay Paul for the remainder of the year. Pat Scott said they had no idea on what the cost of the office operations would be. Commissioner Hancock said Prosecuting Attorney budget is \$390,000. Chairman Raymond said they have \$20,000 for office equipment. Have been doing some work on these issues to decide on how much the costs will be. Commissioner Hancock goes over they have toured locations for his office as well have not decided yet but need to soon.

[9:21:38 AM](#) Colleen goes over the prosecutor expenses will be high this year but this should go down. Chairman Raymond said the salary next year will depend on the budget. No salaries were increased this year. Only elected official is the Coroner who will receive a minimal increase.

[9:22:36 AM](#) Cheryl Hively asked if there had been an accounting of equipment such as computers and furniture that will be brought over to the new prosecutor. Chairman Raymond said no furniture will move since the county has not purchased this. They will do a checklist once he is no longer in office. Commissioner Farnsworth said the computers they have are old and are not going to have any value. Commissioner Hancock said they will bring these back and dispose of the property as required. Pat asked if there will be transfer of files. Chairman Raymond said of course.

[9:24:21 AM](#) Cheryl Hively asked if they will now receive receipts. Commissioner Hancock said yes this will all go through the claims review process like all of the other departments.

[9:24:56 AM](#) Chairman Raymond asked for any other questions or comments. Hearing none will close the public hearing section of the meeting. Chairman Raymond asked for comments from the commissioners.

[9:25:11 AM](#) Commissioner Hancock appreciates all of the effort of the clerk. Chairman Raymond agrees as well as her staff and all of the departments for getting their budgets completed. Colleen said all departments have been frugal so they have higher cash balances as well as higher revenues.

[9:26:05 AM](#) **Motion by Commissioner Hancock to approve fiscal year 2017 budget for \$20,021,936.00. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

[9:27:01 AM](#) Chairman Raymond comments on the future budgets. Have been some talk in the community about making the commissioners a full-time position. Chairman Raymond would like to say for the record they have a unique position. Have the responsibility to set the salaries for elected officials including themselves. He is opposed to the county having full-time commissioners at this point. Feels they have done a fairly good job accomplishing the business of the county meeting twice a month with some special meetings here and there. This would be a huge leap to go to full-time and would be a huge hit to the budget. His most important opinion is when a governing board is full-time and they need to be compensated for everything they do they become more of an employee and he feels this is a service position.

[9:30:14 AM](#) Commissioner Farnsworth comments they are not big enough yet for full-time yet. Maybe down the road. This would not be a good option for the county at this time.

[9:31:08 AM](#) Commissioner Hancock said they do not take the job for the money. He is here for service.

[9:51:04 AM](#) Chairman Raymond goes over on the budget for the public that this was balanced with no increase in any health insurance. Step & grade was given to those who qualify but no COLA was approved. Commissioner Hancock said a lot of counties are seeing a twenty percent increase in health insurance to their employees.

[10:01:07 AM](#) Sheriff Anderson comes back in on the resource officer for West Jefferson was not included in the budget after he went in and did some checking. Colleen said she will have to go and adjust the amounts in the resolution.

[10:02:45 AM](#) Chairman Raymond brings up they have come across an issue. **Motion by Chairman Raymond to go back and reopen the public hearing portion of the budget discussion due to an issue that has just been brought up. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

[10:03:20 AM](#) Chairman Raymond goes over the same public is still in attendance and will have the clerk explain what was found. Colleen goes over in checking the Justice Fund budget the resource officer salary was not included in the budget for the amount of \$28,872. Commissioner Farnsworth said the funding is there but they did not create a line item in the budget. Chairman Raymond said they need to increase the Justice Fund budget by \$28,872. This will change the bottom line of the resolution.

[10:04:53 AM](#) Sheriff Anderson said they had been in negotiations with West Jefferson School District about paying half for a resource officer in their schools. Did add the revenue in but did not add the position line into the budget. This position would be effective October 1, 2016 so the contract will be pro-rated. Chairman Raymond asked for any questions from the public.

[10:05:42 AM](#) Cheryl Hively said that she thinks this is a great thing.

[10:05:59 AM](#) Chairman Raymond asked for any other comments hearing none closes the public hearing portion. Colleen will go and update the resolution and they will readdress this.

[10:11:13 AM](#) Chairman Raymond said they have resolution #2016-25 which is the same resolution only difference is the change in the budget amount will move from \$20,021.936.00 to \$20,050.808.00.

[10:11:36 AM](#) **Motion by Commissioner Hancock to amend the amount of the budget resolution #2016-25 to \$20,050,808.00. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

- **APPROVE CERTIFICATES OF RESIDENCY**

[9:32:34 AM](#) **Motion by Commissioner Farnsworth to approve certificates of residency from College of Western Idaho for Nicola Nickie Berggren, Valarie Hoopes, Kristy Johnson, Harley Kulow, Lorelee Lovell, Kaitlin Manzanares, Kayla McCabe, Tiajah Nelson, Colin Short and Kaylee Zimmer. Second by Commissioner Hancock. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

- **LIQUOR LICENSES**

[9:35:39 AM](#) Commissioners sign liquor licenses.

- **APPROVE COMMISSIONER MEETING MINUTES**

[9:47:45 AM](#) Commissioners review minutes.

[10:13:05 AM](#) **Motion by Commissioner Hancock to approve special commissioner minutes from July 25, 2016 as amended. Second by Commissioner Farnsworth. All in favor – aye. Motion passed.**

[10:14:37 AM](#) **Motion by Commissioner Farnsworth to approve commissioner meeting minutes from August 19, 2016 with noted changes. Second by Commissioner Hancock. All in favor – aye. Motion passed.**

- **NEW BUILDING UPDATE/ ARCHITECTS**

[10:18:10 AM](#) Paul Butikofer comes up says he has not been able to get ahold of Jason Hurley. Did view the Monarch building. Commissioner Hancock said that this is around a one dollar a square foot. Paul said that did not include utilities. On the Jason Hurley location not sure this will be available soon enough and may not be a big enough space. Paul said the Monarch building is large is 1,800 square feet but is set-up for a doctor office has a lot of unusable space with sinks in all of the offices. Colleen said they need to pin something down.

[10:20:34 AM](#) Chairman Raymond has some concerns about the direction they are headed. Feels they are moving ahead at building with architects and possible project manager. Feels they may not have money for this at this time. If they move ahead and have an architect able to go to bid in March. Feels they may get part way through construction and not have the funds to finish the building. Discuss they do not know if they may have to transfer funds to the Justice Fund again. Have \$1.3 million budgeted but they are not sure they will receive these funds. Colleen goes over what was budgeted also have \$600,000 in the capital fund. Chairman Raymond's concern is when they start building they may not know where they are at. He would be more comfortable in waiting another year to make sure they can save some additional funds. Goes back to the accountant building. This is the building that the prosecutor currently inhabits. This building is not solely owned it has several partners. Mr. Dunn is not the principle owner of the building. He is not saying this is the direction they need to move today but does not want to throw that option out. Based on what they know would be a good investment to the county. He is not opposed to building is just unsure they have the funds to finish building. Commissioner Hancock understands they may not have the total amount. This building will span 2017 and will go into 2018 so they would be able to pick up additional funds in the next year. Have to get things started. The more they put this off the more money this is costing the county in rent that is being paid. Have been shortsighted not looking toward the future. Have to progress along the path. They may not have all the funds and they will not know if they have all of the funds. If they do not move forward they will be in the same boat that they are in this year discussing if they will or won't have the funds.

[10:26:12 AM](#) Commissioner Farnsworth said while looking at the building in Bonneville County if they get the building up. They can enclose this as they can afford to. He feels they would have enough money. Commissioner Farnsworth would like to have the prep work done to finish this as they do have the funds. Commissioner Hancock said that the county is growing and they need to move forward with this. Chairman Raymond said if they were to purchase the building over here they could house two to three departments. Would not lose the lease for Probation at this time. Would be cutting the lease payments in half.

- **CAPITAL CRIMES DEFENSE FUND**

[10:28:05 AM](#) Colleen said she has checked on the Capital Crimes Defense Fund goes over they have not been paying into this. Have spoken with IAC and had indicated this would take years past premiums to be allowed back into this. Would be anywhere from \$70,000 to \$100,000. Had requested a letter from the commissioners if they wish to be reinstated. There are no dues this year. For next year have received an assessment for about \$10,005 this goes off of population. This was not budgeted this year. Colleen said they could possibly start a payment plan. Have around \$11,000 in that fund for the budget this year. Could take this from contingency. Paul asked about when this would be effective. Colleen said they would be effective as soon as they begin paying in or arrange a payment plan.

[10:30:27 AM](#) Paul goes over if they do have a capital crime then the money would not be an issue. He would be in favor to be enrolled in this. Paul would like to not have to worry about money if this does come up. These capital crime cases get dragged out and could cost up to \$400,000 for a case. Commissioner Farnsworth asked how much this is a year once they are caught up. Colleen said roughly \$10,000 a year it goes off of population.

[10:31:56 AM](#) Chairman Raymond said all other counties pay per population. Jefferson County has never had a capital crime case.

[10:32:21 AM](#) Paul said it is his understanding the Jefferson is not in the appellate division and is probably the only one who is not. Had checked into this when he was the Public Defender. He feels this is a good idea and the county should do this. It would probably be a similar situation would have to get up to speed on back payments and would have to pay into this fund. This is for appeals from the District Court. Currently the Public Defender does these appeals if a defendant appeals a District Court case. Have been some talk about changing the role of the Public Defender which is due to lawsuits. If they do not have the appellate division doing this then they have the Public Defender handling these appeals.

[10:35:14 AM](#) Chairman Raymond goes over in the budget could not cover the appeals on an hourly basis. Paul said they all have the right to appeal. If they were in this fund the appeal would go to the division which all they handle is appeals. When a private attorney handles these they are not done as often.

[10:36:43 AM](#) Commissioner Hancock asked who handles the fund. Paul said this is through the Public Defender Appellate Division through the state. Commissioner Hancock thinks on the Capital Crimes may want to look at what has been paid into this historically.

[10:37:55 AM](#) Chairman Raymond said when they looked at the hard numbers it could be a bargain. Commissioner Farnsworth said that insurance is costly but if this was to happen tomorrow it would be worth it to be covered. Chairman Raymond asked that Paul and Colleen get a little bit more information and bring it to the next meeting.

- **ACCOUNTANT BUILDING**

[10:41:14 AM](#) Rebecca has a call in on this building. The building and land is valued at \$564,000.

INSURANCE – CARLOS APONTE & MATT WALDRUM

- **COLONIAL PRESENTATION**

[10:42:51 AM](#) Carlos has the Blue Cross sign off sheet. Idaho has a program for self-funded plans. This does not cost anything but this has to be signed to share information. Have a scope of services that they offer. This is something they have started last year. Their services have not changed. Commissioners sign the documents that were presented.

[10:45:00 AM](#) Carlos goes over last time they were here they had discussed the budget and had discussed employee rates. They have employee meetings scheduled so Carlos asked if they have discussed employee rates. Chairman Raymond said there will be no change in any of the rates. Carlos said that will be easy enough. Carlos wants to recommend a change to their tier structure of employee rates. In the navigator software the challenge is they have eight rate structures for employees. Asking if they would combine some of these rate structures. Usually have an employee with family instead of broken out with the number of children that they have. As a word of caution those who have three children the rates will go up. Have spoken with Colleen and Marilyn and they are recommending the change of this structure as well. Would reduce the rate structures from eight to six.

[10:50:27 AM](#) Carlos said most rates for kids are usually the same. Would still be able to say they have one child but then two or more goes into a family structure.

[10:51:08 AM](#) **Motion by Commissioner Hancock to adjust the composite rate structure will reduce these from eight to six rates. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

[10:53:04 AM](#) Carlos said they have been having a push with the flex accounts. This is pre-taxed money with a maximum of \$2,500 a year. This has always been a use it or lose it account. New rule came out last year that some of this could be rolled over. This would allow the employee to rollover a total of \$500 into the next year. Would only have a \$500 maximum amount that is allowed to be rolled over. Feels they can educate employees with this now that if they put in \$500 they could never lose these funds. This program is underutilized. Carlos said one con is currently they have an extension so they have had until March 15 of the next year to use this money. Have to pick one of the two options. Commissioners like the new option of being able to roll this over.

[10:58:44 AM](#) **Motion by Commissioner Farnsworth to go from the extension offer to the rollover option on the flex spending. Second by Commissioner Hancock. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

[10:59:46 AM](#) Matt Waldrum said they had brought in a supplement insurance AFLAC. Have been working through some billing issues. Cons are making changes with this company. Recently had an employee sign up in June and the application took over thirty days to get the application processed. AFLAC is a voluntary benefit and they also offer Colonial. The plans with them are similar but Colonial is easier to get ahold of with any issues. Both have accident plan, cancer plans and life insurance plans. With Colonial they can build this into the software they already use.

[11:02:25 AM](#) Matt is here to see if the commissioners would be okay with moving from AFLAC to Colonial as the preferred insurance. Commissioner Hancock asked about rates.

[11:03:05 AM](#) Matt said these plans can be so specific that providing rates is hard. If an employee has the AFLAC policy they can keep this. But going forward they would like to promote Colonial. Chairman Raymond said if they have the choice then he is not opposed to this. Matt said the rates may not match since this is off of individual rates. Goes over payroll deducting both insurances. Would like to have Marilyn's opinion on this.

JORY DRAKE

• LORENZO BOAT ACCESS

[11:06:48 AM](#) Jory Drake is in attendance. Jory is here to discuss the BLM access that was put in for the boat ramp in Lorenzo. This was after they came in and closed all the accesses from Highway 20. Moved the boat ramp down and across the river. The BLM was given a sum of money to purchase this land. Bought this land from the Allred Brothers and the road was built. Have been a lot of inconsistencies with the whole thing. With that have basically told him that the ground they purchased is twenty acres and the deed is in their name and this was purchased for sportsman's access and recreation. Jory has asked for a right-of-way. Going back two years when he approached this situation he needed to get a power easement which was granted so he has conduit under the road and there is a recorded easement. Irony of this is the farmers that farm both sides of the road can access the road. BLM is saying this is a BLM road and is recorded that they own this property.

[11:10:57 AM](#) Is approaching the county to come to an agreement on the road portion shows where this comes off of 700 North. Jory understands that the county has been maintaining this road as per Dave Walrath. The county has not received any money on this.

[11:12:07 AM](#) Commissioner Farnsworth said they purchased the land with public funds and put a road in but it's not a public road? Jory said that two million was given from the Idaho Transportation Department.

[11:13:09 AM](#) Jory said the Jeremy Casterson is the lead engineer. In contact with him who said that the BLM has bought this land to get to the boat ramp and it is not an easement. Goes over things that have been said in his communications with BLM. Somewhere it states a purpose of the road in his paperwork.

[11:14:52 AM](#) Jory is proposing the county and the BLM come to an agreement on some sort of maintenance on the road. He understands that BLM owns the property. Would like the county to get with the BLM to try and slide jurisdiction of the road. The county is already maintaining the road.

[11:15:48 AM](#) Rebecca said the county cooperates with the BLM and they do have an MOU that would provide maintenance. Rebecca would need to look into this further to see what is included in the MOU.

[11:16:38 AM](#) Commissioner Hancock goes over that the BLM has put the road in but the road can only be used to access to the boat dock. Jory said that the farmers use this road as well. Jory said upon them obtaining the ground they never spoke with property owners that were adjacent.

[11:18:20 AM](#) Rebecca said there may be some sort of prescriptive easement.

[11:19:26 AM](#) Jory goes over some issues with the road. Jory said if this was a county road and all of the land is sold in this area it would become commercial property if they ever decided to subdivide.

[11:21:54 AM](#) Commissioner Farnsworth said since the county maintains the road it should be a public road. The BLM is not responsible for maintaining the road. This is well maintained now and will be since there is an MOU.

[11:23:54 AM](#) Chairman Raymond goes over alternatives of them building a private road. Jory said currently they have forty acres that is being farmed. Could bisect the farm or could go around the edge but this would be half a mile.

[11:26:18 AM](#) Jory is not planning at any near future to subdivide this. This is all bottom wasteland ground which is twelve acres. Will gain about two acres on the higher ground and his intent is to build a house here. Is going to purchase twelve acres in an R10 zone. Chairman Raymond said that he may have a legitimate case here would think they may need to have the BLM attend a public meeting.

[11:32:37 AM](#) Chairman Raymond thinks he needs to make a move of intent on the property and then have them make a counter move. This would really become a civil issue. Do have some ties to the road. Jory said if he purchases the twelve acres this would be land locked. Discusses the river and the change of flow.

[11:37:11 AM](#) Jory asked what he could do. Chairman Raymond said he would encourage him to get an attorney to see if there is anything they can do. Would want to talk with Dave and see if he has any additional information. Chairman Raymond said that Jory may want to initiate a move and see what the BLM does.

[11:41:51 AM](#) Rebecca said Mr. Poulsen from the accountant building did call and will schedule a meeting to discuss the building on September 12.

[11:42:03 AM](#) **Motion by Commissioner Hancock to adjourn at 11:42. Second by Commissioner Farnsworth. All in favor – aye. Motion passed.**

Chairman of the Board

Date

Clerk of the Board

Date

County Clerk

Date