

**JEFFERSON COUNTY COMMISSIONER MEETING MINUTES
TUESDAY, FEBRUARY 19, 2019**

Meeting called to order at 9:00. Those present are Commissioner Clark, Commissioner Young, Chairman Hancock, Prosecutor Paul Butikofer, Deputy Prosecutor Weston Davis, Social Services Jackie Maupin, Clerk Colleen Poole; Audrey Moon is clerk of the board. Pledge of Allegiance led by Paul Butikofer. Prayer offered by Chairman Hancock.

SOCIAL SERVICES – JACKIE MAUPIN

- **EXECUTIVE SESSION 31-874 & 74-206(D) – RECORDS EXEMPT FROM DISCLOSURE**

[9:02:13 AM](#) Motion by Commissioner Young to go into executive session 31-874 & 74-206 (D) – Records exempt from disclosure. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

Open session 9:18

- **APPROVAL OR DENIAL OF INDIGENCY APPLICATION – (ACTION ITEM)**

[9:19:02 AM](#) Motion by Commissioner Clark to deny on lack of cooperation case #2019-9 and case #2019-10. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

DEPUTY PROSECUTOR – WESTON DAVIS

- **LEGAL COUNSEL: EXECUTIVE SESSION IC 74-206 FOR PERSONNEL, HIRING CONSIDERATION, EMPLOYEE EVALUATION AND COMPLAINTS (1)(A) & (B), PENDING LITIGATION (1)(F), OR DELIBERATIONS ON LABOR NEGOTIATIONS OR PURCHASE OF PROPERTY (1)(C) – (AS NEEDED)**

COMMISSIONERS

- **PURCHASE ORDER DISCUSSION**

[9:21:19 AM](#) Chairman Hancock did work on a purchase order got the terms and conditions. Took about five hours to do this. Paul said the numbers are off and it does not have a termination for warrant default. Chairman Hancock wants to talk about this. One of the things as a county they do not issue or have a purchase order system they do not give any terms or conditions. If they go out to the government sector they always issue purchase orders. Want their terms out there. This would save issues with purchasing and renting equipment. Because of that he took the time to go through this does not have this perfect he realizes that. Right now just wants to start the discussion and have legal review this and give their comments. This is a combination of three or four others. Paul said they need a proposed definition on the warranty. Weston will go through this. Chairman Hancock said this is a starting point.

[9:24:36 AM](#) Commissioner Young asked if this is something that would be signed. Chairman Hancock said one of the things government usually does for smaller purchase orders only has some of these items. Typically on smaller purchases they usually just reference these. Weston shows that there is more on the back page that goes over termination. Paul did not see that page. Weston said they are not making a decision but wants to talk about arbitration. Does not like this. First of all they do have an option for them to direct arbitration. Generally speaking most of these clauses requires them have to someone from an arbitration commission. They charge for the list and then charge per hour. Chairman Hancock said the government likes to use arbitration. This is a starting point and they can delete this. Weston said another issue with arbitration with public entities a lot of times this is private but it doesn't say anything in here about being private. Benefit is having this aired out in the courts because this is public and people can show up for these types of hearings. Asked any other guidance on why arbitration would be helpful. Thinks mediation is great. Chairman Hancock said he would prefer mediation over arbitration. Weston said he may look at a mediation clause. Will review this. Looks like he has covered the biggest topics. Will get him some comments back. Then they can put this on for action item once they have a proposal. Thinks this is a great idea.

[9:28:58 AM](#) Colleen asked if this is on larger purchases or everything. Chairman Hancock said usually anything over \$1,000. They can use these on smaller purchases they just do not go over all of the term items. Weston said Colleen is bringing up a good point and if they need to have a standard operating procedure on how to deal with these for the departments. This way there is uniformity within the county.

[9:30:46 AM](#) Chairman Hancock said he wanted to get this going knows there is a lot there. Will give this a couple weeks for review. Will have to change the standard operating procedures. Took about three different ones to create this it is not all original. Paul said they do not want to reinvent the wheel they just need to tweak this for their county. Chairman Hancock said this was just a discussion. Weston just wanted some discussion for direction and avenues to look into. Chairman Hancock thought they should get the

ball rolling. Most of the ones he looked at had arbitration but in his experience they usually did mediation. Does not have anything else on this will look at it again in two weeks.

- **NEW BUILDING PROJECT – (ACTION ITEM)**

[9:33:37 AM](#) Commissioner Young gives the update the heat was supposed to be on today. Chairman Hancock has not checked but that is what they had hoped. Commissioner Young said they were still doing electrical wiring but should be done by the end of the week. Starting to clean the building so they can be ready for carpet. They wanted the building heated before they did carpet and molding. Chairman Hancock said they were prepping to lay carpet today is what Bryan Briggs had told him when he was in there. Commissioner Young knows they had just been waiting for heat.

[9:35:11 AM](#) Paul asked for any direction on moving Prosecutor or Probation. Will they wait until March? Chairman Hancock thinks they want to do this now. Have spoken with Jeff Ottley and they can get a temporary occupancy issued. Will let them occupy the building. The elevator is a holdup the manufacturer put them back on hold and then got bumped down so this will not be ready until the second week of March. Paul is wondering how to plan on what they can expect for the thirty days' notice. Chairman Hancock said Gene for Probation would charge a daily rent if they went over. Paul believes they could do this as well for his location. Knows they are going to have a process and they have two jury trials set for March. Chairman Hancock said he has spoken to Road & Bridge and they will help them move records and files. Paul would like to have the elevator available. Have been putting off vendors on new furniture. May take them longer than a day to move.

[9:39:36 AM](#) Paul asked on having the IT setup. Chairman Hancock said that Phase Four did the sound system Twisted Technology has their runs done but still needs to tie it all together. Felt they would be able to get a lot of this done. Paul asked on this room. Chairman Hancock said they have not decided will still be a conference room for the time being. Colleen said it is nice having a conference room in this building.

[9:40:49 AM](#) Chairman Hancock said this is moving forward. The reason they do not have the window in the front is because they cannot put this in until they get the elevator into the building.

- **APPROVE COMMISSIONER MEETING MINUTES – (ACTION ITEM)**

[9:42:59 AM](#) **Motion by Commissioner Young to approve commissioner meeting minutes from January 22, 2019 and January 25, 2019. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[9:43:59 AM](#) Recess until 10:00

Open session 10:03

CLERK – COLLEEN POOLE – NEOPOST – REED SATTERTHWAITE

- **POSTAGE MACHINE – (ACTION ITEM)**

[10:03:10 AM](#) Colleen has Reed Satterthwaite with her from Neopost. Have a postage machine in the Clerk's office for all of the postage in the courthouse and they take turns taking it to the Post Office. Is about five years old so would like to present a new contract. Provides information that shows the amount of postage in the last few years. It is increasing. When they get the new offices in the annex building Probation has a postage machine now and would move to using this one. Currently pay \$11,802 for sixty months. The new machine would be newer and faster but also has a dynamic scale where when you put this on it weighs it. Helps in accuracy and saves time. Especially if this is going to be used more. If they use a postage machine they get a discount on postage right now they get a five cent discount. Biggest thing is they have a Why Wait Program they would start over a new contract in November but would give them the machine now and not charge them the new price until November. Reed said currently they pay \$196.70 per month.

[10:05:57 AM](#) Reed goes over the system last year they did demo the dynamic scale. They can stack the mail and will run this through and it weighs each piece individually. Did not have a budget at that point of time. With the different options coming in this would help them do this faster. Would be at the \$196.70 until November then go up to \$325.44 starting in November. Both the current contract from 2014 are on the state contract. Chairman Hancock asked if this is a lease. Reed said this is a sixty month lease. Chairman Hancock asked if maintenance is included. Reed said they lease the equipment and the postage meter is all included. If they kept this machine they will have a twenty percent increase. That is why he has recommended a new piece of equipment this new machine accommodates this much better. That is why this is a short-term lease.

[10:08:17 AM](#) Colleen said they have been in and out fixing this. One time when they came in to fix it was when they brought the demo. Paul asked if they provide services at Probation or Prosecutor. Tammy said that they use Pitney Bowes. Colleen spoke with Tammy and she will start using the machine here once they move over. Paul has not decided yet on his office. Chairman Hancock said this goes up quite a bit. Reed said this is about a \$100 difference due to the dynamic scale to make sure the size and length complies with the Post Office. Colleen said right now if items are too big they have to take them to the Post Office.

[10:10:00 AM](#) Commissioner Clark asked if they are getting the discount with what they have now. Colleen said yes it just went up to \$0.55 and we pay \$0.50. Reed said they used to have \$0.03 savings now it is \$0.05. Colleen said they can use other lines for postage as well. Commissioner Young asked if they consolidate this. Paul would have to ask Judy he does not have the numbers on this. Commissioner Young asked on the postage amounts. Colleen said everyone in the courthouse brings their mail over here. Even the Sheriff's Office comes over. Colleen said they cannot be without one if this one were to go down. Commissioner Young asked how reliable these are. Reed said if they have any issues they have a technician in Idaho Falls. Paul asked if this went down and was serious would they swap one out. Reed said they would have someone available within eight hours. Have never had to swap one out they usually get these working.

[10:12:22 AM](#) Chairman Hancock asked Tammy on her machine. Tammy thinks the quarterly payment is around \$200 does not have the numbers in front of her. Colleen said they had around \$1,500 budgeted. Tammy said that included postage. Paul asked if Tammy gets a discount on postage. Tammy does not think so. Can they take the postage they have purchased off of their machine they have now. Reed said the current machine would go back to Pitney Bowes and then they would cut a check from the Post Office. Unless they are low enough to use the rest. Colleen said this would start right away but would not pay more until November since that is when the lease is up. Commissioner Young asked when this would start. Colleen said this would bring it here immediately but would not increase until November. Colleen said that all the departments take a week taking this to the Post Office even if they add them then they would not have to go to the Post Office every day. Weston asked if this has been reviewed. Chairman Hancock said this is a state purchase agreement. Colleen said the last page is the why wait explanation. Chairman Hancock said it references the state contract. Noticed it said state contract at the top. They can terminate the contract based on limitation of funding. Reed said this is a purchase order and their agreement.

[10:16:57 AM](#) Chairman Hancock asked if Weston sees any issues. Weston does not see anything. Colleen said on the rate changes these are changed by them. Reed said this is done automatically since this is hooked up to the internet. Chairman Hancock thinks this is their best option. Asked how they compare with Pitney Bowes. Reed said they do he used to have a machine when he was a manager. Has not been impressed. A lot of this is based off of service. Had a situation working with Valley Wide in Nampa and Preston and helped worked through these. Some places had a download fee. So paying extra fees when they dissect the statements.

[10:18:50 AM](#) Tammy said with Pitney Bowes they do not have anyone on site. It is on the phone with them and the secretary has to call in to do process the downloads. Have to call the tech or send out a new machine. Likes that someone will actually come in and fix this. Reed said that is the biggest reason for the accounts that they have. Colleen had not been impressed with Pitney Bowes either because of customer service.

[10:20:13 AM](#) Chairman Hancock said they are looking at a lease agreement with Neopost. Colleen said they need a signature on both. Weston said on the purchase order this is set up as a lease payment with a unit price total. This order is governed under terms and conditions of the value point master contract number. This government lease agreement is different. This will be the general terms and agreements. Question under the lease purchase order does not fully understand what happens after the lease term expires. Do they own the machine? Reed said they own the machine with a dollar buy out at the end of the lease. They would have to keep maintenance and meter costs. Weston is not concerned at the introductory period but at the end of the lease. Commissioner Young asked if they have to buy this machine. Reed said no. Chairman Hancock said they would have a buyout at the end. Weston said if this is a county asset they would want to look into this without jumping into a new lease. Does make sense to update this every five years but if they do this what are the lease payments being applied to. Reed would have to look into this to see the value or how this is determined. They do not have a value. Would still have maintenance and meters. Commissioner Clark asked if this is a true lease. After the sixty months it could be a lease purchase. Chairman Hancock said this would be a capital lease to buy out a true lease would be turning the item back. Reed said the cash price is \$7,614 and the hardware maintenance is \$104 and meter is \$57. Chairman Hancock said it is \$161 for the maintenance and postage meter costs. Weston goes over costs. Reed said the meter and maintenance one of the things had his biggest customer who was purchasing but the meter and maintenance could go up each year. Has never done a purchase on a state contract. Chairman Hancock said so this is set for five years in a lease. Weston reviews the numbers. If he could send a copy of this contract to Colleen for him. Then he could understand the buyout. The government one references a website that he can review. Chairman Hancock said they will table this until next week.

PROBATION – TAMMY ADKINS

- **ELECTRONIC MONITOR CONTRACT – (ACTION ITEM)**

[10:30:13 AM](#) Tammy has an Electronic Monitoring contract that was sent to Weston last week. Use this so rarely and are wanting to change and charge a set amount so have a user agreement for a monthly amount. Have one in the office in case the court orders an ankle monitor. Renew this agreement every year or two. This is a user agreement for the monthly amount. Have one in their office and they do not charge for this until they connect for services. Paul said they only pay if they use this. Tammy said they have one on hand and only pay if they use it. Weston said he did not understand that they do not use this at all. Tammy said they have to have an

agreement but only use it when it is ordered by the court. They can have one back up unit. Paul asked if this fee is passed on. Tammy said this is charged like a detention bill. It is usually \$10 a day. There are different units but is \$5 to \$7 a day. If they cut these off they have to pay for the unit and hope they get restitution back on this. Weston said \$1,500 for a unit. Chairman Hancock said they do not pay anything unless it is ordered so it is just sitting there. Tammy said they have used this in past years. Pre-trial release is working better. If they were charging a daily amount they would look at this but it does not hurt to have one available. Weston was looking at any minimum requirements. Only says they can have up to one spare.

[10:35:33 AM](#) **Motion by Commissioner Young to approve agreement #020419CH1 an Electronic Monitoring Agreement. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[10:36:50 AM](#) Tammy needs to get some information on when they are moving. In a limbo stage with what is going to happen. Chairman Hancock said they are cleaning and getting ready to put in carpets. Tammy said that they will work with them with whatever they need to do. Weston asked if this requires notice. Tammy said that lease requires written notice of thirty days. Weston said they need to send a written notice with a conditional notice that they believe this will be within thirty days. Would need a written letter they will vacate by the 19th. Paul said to keep this simple could be out by end of March or first of April then as far as his office it could be prorated. Weston just wants to make sure that they confirm with an email as written notice. Paul said just because they can move in it will still depend on their schedules. Cannot afford to be down. Tammy said they just need to know where they cannot be without phones for drug testing.

PLANNING & ZONING – KEVIN HATHAWAY – JENNY KERR - TABLED

- **WRITTEN DECISION – INTERIM ORDINANCE ACCESSORY APARTMENTS – (ACTION ITEM)**

PUBLIC WORKS – DAVE WALRATH – KERRY ROMRELL

- **DUMP TRUCK – (ACTION ITEM)**

[10:44:59 AM](#) Dave said it's been since 2011 since they got a new dump truck. Getting to be a problem with the fleet. With the Sourcewell program they have contacted Kenworth and Peterbilt to get Sourcewell prices. Have not heard back from Williamsen-Godwin on the dump body. Apparently the hydraulics they want are FORCE America and they do not sell directly. Kerry said that they do not sell directly to Godwin. They do not step into Idaho they let Utility install their beds. Utility buys the bed from them and goes to be installed. Dave said the estimate of trade in was \$20,000 to \$25,000. Gives props to the employees for doing a detail job. Now the trade value for Peterbilt is \$45,000 and Kenworth is \$40,000. Chairman Hancock wondered on this thought it had seemed low. Kerry said it falls in line with the emissions on the truck. Chairman Hancock asked if they can hold on the dump body because they have so many Williamsens. Kerry got with Legacy and they can design theirs like the Williamsens. Made them change this to match up so there is not any single layer panels showing. All the braces where they meet is the only place that there is a thin layer. Chairman Hancock said he had asked Dave this last week. Kerry said he emailed the guy and was still waiting on the hydraulic and plow prices. Chairman Hancock said they may get a bid today so could go with the truck. Dave said Kenworth is four to five months out and Peterbilt is thirteen months out.

[10:48:50 AM](#) Dave said the Kenworth is about \$3,000 less and this is available eight months sooner. Chairman Hancock said that Bonneville had a new Kenworth but have used old beds. Kerry said the old beds have a few that blew out. Dave said they need an eighteen foot bed for these trucks. Kerry said they can add about five yards of material.

[10:50:44 AM](#) Weston clarifies the record maybe Dave explained the purchase price \$216,109. With the trade in \$176,109. So under Idaho Purchasing Law they have to competitively bid something. This is for purchase over \$100,000. Did hear him mention contracting presumes is Idaho Code 67-2803 under the exclusions for competitive bid process that allows for the acquisition of personal property when the procurement duplicate the price and substance of a contract for like goods or services that have been competitively bid by the State of Idaho or the Federal Government. Mention on the pricing is that what he is talking about. Dave said this is Sourcewell it used to be National Joint Purchasing Association. What they do is they take contracts from different government entities and make these prices available for governments and cities nationwide. Weston said this has to be competitively bid by the State of Idaho. Concerned it would be great to have bids from South Carolina. Dave knows other counties are using Sourcewell. Weston's said his question is have they verified with Sourcewell these prices were within the State of Idaho. Dave said that he has not but both Bonneville and Teton County are accessing this purchasing. Can verify this. Weston said if they can verify this then they are okay. Dave said Sourcewell had a booth at the IACERS conference last fall that is where they found out about this. Weston said that they will likely say these are the same numbers just wants to verify. Dave said not all vendors are hooked up with Sourcewell. Just happened that Peterbilt, Kenworth and Legacy Equipment were. The county does have a Sourcewell account number so is not sure who has used this. Will verify this. Weston does not have an issue with Sourcewell just wants to verify this. Sometimes the bigger states are actually cheaper. Chairman Hancock said they also have an agreement with the Federal Government.

[10:55:32 AM](#) Chairman Hancock said they can put this on the next meeting. Commissioner Clark asked if they have a timetable to get the June spot. Kerry said the sooner the better. Weston said he could look at this right now just has court. Chairman Hancock said they do not have any issues right now. Just have an open day to have this in a June slot. Weston asked if next week is okay he will look at this and get back in a few days.

- **WATER TRUCK TANK – (ACTION ITEM)**

[10:56:42 AM](#) Dave said this is not a huge priority for them. They had some trucks that formally were in fleet to haul gravel and chips. Certain mileage they repurpose them. So they have two trucks being used as water trucks during the summer and sanding trucks during the winter. The water truck for the east side has been realigned twice and is still leaking. Chairman Hancock said these are the tanks that are leaking. Dave said they are still using the same truck the tank is wearing out. Chairman Hancock said vibration is tough on these tanks. Kerry said they had someone put mag-chloride into this and it is harsh. Dave said they have a local source with Grover's All Wheel. They have these over in their yards. Chairman Hancock said they need to get another quote on this. Dave knows that they do. Dave is not looking for any action on this today. Chairman Hancock said there are several he could call there is an outfit outside of Billings that builds water tanks

[10:57:11 AM](#) **Deputy Prosecutor Weston Davis left room**

- **VOLVO DOUBLE DRUM ROLLER – (ACTION ITEM)**

[10:59:52 AM](#) Chairman Hancock said this is the one they need some action on. Dave would like to demo this roller on the parking lot out here. Chairman Hancock asked they are in the business to sell rollers so if someone comes in from now until they want to demo this it will be sold. This is his concern. Dave said the one they were looking at before is gone. Chairman Hancock said the minute the weather starts to turn is when these things move. Dave would like to try this out before they purchase it is a newer machine and has lower hours. Chairman Hancock asked if they could tie this up for \$500. Kerry said they might be able to people are planning and may not have this soon. Dave said he would look at the impact fee budget line since this is a new machine they are not replacing anything. Chairman Hancock said they have paid rent for two to three years now. Dave said again they get into April there are none of these around. Chairman Hancock said that is what he is pointing out about tying this up. Commissioner Young asked if this is still available. Kerry said it was still there last time he drove by. Dave asked if they would do earnest money. Dave said they could do thirty day rent. Chairman Hancock said there are a lot of options on this they can explore does not want to lose this feels within two weeks from now they will not have a roller. Cate had wanted \$80,000 for the previous roller. All had these and they were higher priced. Dave said they have used the Volvo before. It was pretty good. Commissioner Young asked if it was similar. Dave said yes. Chairman Hancock said it was not the exact one. This is a good price off of the pricing last year the cheapest was \$70,000. Kerry said they could rent it and tie it up. Chairman Hancock said they need to look at options they would allow. See what they need to do. If this is a lease to purchase arrangement or lease that 95% goes to the purchase of this. Knows they have made a commitment so they do not lose this. Really concerned about this personally. Commissioner Clark said they could use this in April on the parking lot.

[11:04:18 AM](#) Chairman Hancock said they could put \$1,000 contingent to them using this in April. If they do not do something this roller will be taken by a different contractor. Commissioner Young hopes this has not already happened. Kerry said it was there the other day but not saying it is not sold. Dave thinks Brent would have called him if that happened. Dave can contact them on the roller with \$1,000 now and once they are able to use this and everything goes well they can expect the balance. Paul said that would be non-refundable. Chairman Hancock said they would use this on the parking lot so they would get their \$1,000 out of it.

[11:06:09 AM](#) **Motion by Chairman Hancock to allow Road & Bridge Department to purchase a Volvo D138HF Double Drum Roller serial #275206 in the amount of \$37,050. Under the following conditions will put down \$1,000 as a non-refundable and do not pay the balance until they use the roller on the parking lot at the courthouse to make sure this roller works and meets their requirements. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[11:07:21 AM](#) Dave said he will contact Arnold Machinery. Chairman Hancock said they have had a dozen prices on these rollers. Dave said it is hard to get apples to apples on used equipment.

- **UPDATE**

[11:09:38 AM](#) Dave said it is just winter maintenance were out again on Sunday. Will be doing some more brining this afternoon it is a little too cold right now. Chairman Hancock knows this really cleans off the roads. Dave said it is a double edge sword it is harsh on vehicles but it is a matter of safety. Hands a loose plan for capital equipment purchasing. Put in \$300,000 each year. Can see in 2027 will be looking at wheel loaders and backhoe mode. Dave said they have a John Deere over at the shop to demo. Joysticks are sideways if they want to come take a look.

[11:16:04 AM](#) Chairman Hancock said that Dennis Gilson retired. Dave said they had a little ceremony over at the office. Will be hiring next week for Countyline landfill and the Road & Bridge crew.

PARK & RECREATION – MICKEY EAMES

• CORRAL DRAINAGE – (ACTION ITEM)

[11:17:46 AM](#) Mickey found out the man that owns this is Larry Stevens. Property is 10.137 acres and has ten to fifteen cows should have nine. Went back into the ordinances as well. Is a C-1 zone but is sure it is grandfathered in. Chairman Hancock thinks so as well is not worried about the cows. Mickey is just giving background. Went to Department of Agricultural website for some additional information. Number twelve is prohibited discharges for large animal operations. Has more cows than he is supposed to that she does know. Commissioner Clark asked how many there are. Could have a type of agreement. Chairman Hancock said they need to work with Planning & Zoning to change those agreements. Commissioner Clark said they could have an agreement for more than nine cows. Chairman Hancock said this is more about the discharge and not the amount of cows they have.

[11:20:03 AM](#) **Prosecutor Paul Butikofer left room**

[11:20:10 AM](#) Mickey said everything she is reading they cannot discharge onto someone else's land. Commissioner Clark said this almost wants to run the other way. Mickey has only seen it backup once. That was in the middle of the summer when he overwatered. Commissioner Clark said right now this does not go over to their place. Mickey said they just want this sealed off. Commissioner Clark asked where the culvert is. Knows where the trailer court is. Mickey said the corral is right there and there are two panels in a V and goes kiddy corner across toward the trees. Only knew this was there because he had told her not to plug his drain. Has probably been there a long time. Does not think this is a problem anymore. Commissioner Clark said they would have to get a really big pond. Unless they really got a lot of rain then the runoff should stay. It should hold the wastewater. Mickey does not think it is rain or runoff thinks it is when he does not pay attention to watering. It was the middle of summer last year. Did not know about it until this fall when he told her not to plug the drain. Commissioner Clark thinks it has been there. Mickey said there is enough area to drain elsewhere. Commissioner Clark said it is lower out in there. Never say never because they could get the right circumstances.

[11:23:09 AM](#) Commissioner Clark said he needs to control his wastewater. Needs a headgate or something on this. Mickey is not sure they want this on the county side. Thinks this should drain into his own field.

[11:23:40 AM](#) **Prosecutor Paul Butikofer is in room**

[11:23:45 AM](#) Commissioner Clark said that is the problem is it drains lower so there is nowhere else to drain this. Mickey said he could dig a hole. Commissioner Clark said he could if there was gravel that would sink. That is one of the things about having a corral. Mickey said she grew up on a farm and they never drained onto other property. Commissioner Clark said this was there before the park was there. Mickey said last year it was the closest she had ever seen it. Smells so nice right at the booth. Mickey said that is what she came up with for the information they wanted. Chairman Hancock is not sure what they will do about it. Commissioner Clark said if she has a chance to talk to him. Mickey said they do not speak. Did get after him the other day about dumping his garbage in her dumpster. It was full of twine and feed sacks. Did this last fall. If he wanted to help pay for this it would be fine. Told him not to use it unless he wanted to help pay for it. Was told he would just burn it. Could talk to him about the drainage. Just thinks it would be easier to have this closed and leave it at that. Then he can deal with what he needs to deal with. Realizes that it has been done for a long time. Knows how old farmers are. Can stop this on her side. Chairman Hancock thinks that is the best. Commissioner Clark thinks that would work for right now. If he is running irrigation water it has to go somewhere does not think it is just runoff. Mickey said this would give them a leeway. Will have a headgate put on their end so they can stop this. Chairman Hancock said a slide in. Commissioner Clark said a slide and some dirt. Mickey is going to take her backhoe into the guy in Rigby to get repaired.

[11:28:40 AM](#) **Motion by Commissioner Clark to adjourn at 11:28. Second by Commissioner Young. All in favor – aye. Motion passed.**

Chairman of the Board

Date

Clerk of the Board

Date

County Clerk

Date