

Jefferson County Commissioner Meeting Minutes November 14, 2011

Meeting called to order at 9:00 am. Those present are Chairman Karren, Commissioner Hegsted, Robin Dunn, and Sam Dye. Emily Kramer is clerk of the board. Sam Dye gave the Pledge of Allegiance and Chairman Karren gave the prayer.

Sheriff's Office – Sam Dye

- **Turnkey Contract – Jail**

The Sheriff's Office presently has a contract with ABL who provides commissary services. The jail receives 20% of the sales generated from the commissary. Sam explains that commissary sales control contraband and provide essentials and snacks for inmates. The percentage received from the sales goes to a designated fund to pay for inmates bedding and other needs. A new company, Turnkey Corrections, has proposed to install kiosks in cells which would allow inmates to buy things from within the cells. With this new company, the jail will receive 22% of the sales. The kiosk will allow inmates to file grievances, buy phone cards, etc... Sam explains that the system is in use in Bonneville County and other counties across the state. The system has the potential to provide video conferencing for inmates. Sam mentions having kiosks in the cells will provide time savings to the jailers because the burden will now be placed on the inmates. Signing the Turnkey Corrections contract, will not cost anything. The contract has a one year clause with a thirty day opt out by either party. The system is hardwired and the cells are capable of receiving the system. The installation and kiosk costs are born by the company.

The Commissioners ask where the commissary funds go. Sam says he does not handle the money. Robin explains that there is money that comes in and that the Commissioners are responsible for the money. Robin mentions that the money should go through the Treasurer's Office and that if the Commissioners want to know more they will need to talk to the Sheriff.

Robin's only concern with this contract is that the person filling the kiosks could put contraband in them. Robin wants internal controls in place with a jailer monitoring the caretaker. Sam explains that is the system they have in place now.

Sam discusses that this company orders twice a week versus the once a week with the present company. Sam explains that inmates get money on their books by family members. Inigent inmates get money from the commissary sales revenue fund. Commissioner Hegsted asks about security. Sam states the company holds that the machines have never been kicked in and that the kiosk is a touch screen built for institutions like this.

Motion by Commissioner Hegsted to approve the Turnkey Corrections contract to provide commissary services at the jail. Second by Chairman Karren. Roll call taken. Commissioner Hegsted – aye. Chairman Karren – aye. Motion passed unanimously. Upon receiving the Turnkey Corrections signature, Sam will enter the contract in to the exhibit book.

Commissioners sign a retail alcoholic beverage license for Gator Jack's and Old Town Saloon.

Executive Assistant – Emily Kramer

- **Jefferson Lake**

Emily provides a detailed revenue and expenditure report for the 2010 season. Emily discusses the proposed timeline for the water and power installation at the campsites. The Commissioners ask Emily to have the engineers move the completion date to June 1st.

Clerk Christine Boulter arrives.

Public Works – Jim Boulter

- **Bid Opening – Crushing**

All bids were sealed and received before 10:00 am.

Bid from Roadhouse Construction received on November 14, 2011 at 9:03 am for an overall of \$33,800 to crush approximately 20,000 tons ¾” minus road base at the crystal pit for \$1.24 per ton and approximately 3,000 tons ¾” minus cinders for \$3.00 per ton.

Bid from Brett Price Excavating Inc. received on November 14, 2011 at 9:03 am for an overall of \$44,350 to crush approximately 20,000 tons ¾” minus road base at the crystal pit for \$1.85 per ton and approximately 3,000 tons ¾” minus cinders for \$2.45 per ton.

Bid from T.V. Products LLC received on November 14, 2011 at 9:03 am is disqualified because a check was enclosed instead of the required bid bond.

Bid from DePatco, Inc. received on November 14, 2011 at 9:23 am for \$78,070 to crush 20,000 tons ¾” minus road base at the crystal pit for \$2.48 per ton and approximately 3,000 tons ¾” minus cinders for \$9.49 per ton.

Motion by Commissioner Hegsted to accept the Roadhouse Construction bid of \$33,800 to crush approximately 20,000 tons ¾” minus road base at the crystal pit for \$1.24 per ton and approximately 3,000 tons ¾” minus cinders for \$3.00 per ton. Second by Chairman Karren. Roll call taken. Commissioner Hegsted – aye. Chairman Karren – aye. Motion passed unanimously.

Public Works – Jim Boulter

- **Grader Rental**

Jim explains that he is renting a CAT grader from December through March. John Deere came in at \$6,000 a month and CAT came in at \$5,000 a month for a 140M AWD Motor Grader.

- **Holiday Compensation**

Jim asks how Road and Bridge employees should be compensated for unscheduled work on holidays because of the personnel policy. Chris mentions that the Sheriff’s Office should be involved in this discussion. Chairman Karren directs Chris to contact the DOL. The Sheriff arrives and explains that the employees who work in his office get double time on Thanksgiving and he pays time and half on the Friday after Thanksgiving. The Sheriff pays them double time on the day of the holiday. Discussion is held on the holidays that fall on a Sunday for snow plowing. It is agreed that in the case of working both the holiday and the observed holiday, Road & Bridge will receive double time on the day of the holiday and time and half on the observed

day. The Sheriff mentions as long as we adhere to our policy it is okay with DOL. The Commissioners decide to address the holidays at the beginning of each year and to address the upcoming holidays at this time.

Motion by Commissioner Hegsted to provide clarification on the remaining 2011 holidays for employees who are asked to perform **unscheduled emergency** work on the following two day combination: those who work on November 24th will be compensated at two times their regular pay and on November 25th will be compensated at time and a half; those who work on December 25th will be compensated at two times their regular pay and on December 26th will be compensated at time and a half; those who work on January 1, 2012 will be compensated at two times their regular pay and on January 2, 2012 will be compensated at time and a half. For employees who do not work on the traditional holiday, but have to come in for unscheduled emergency work on the observed holiday they will be compensated at two times their regular pay. Second by Chairman Karren. Roll call taken. Commissioner Hegsted – aye. Chairman Karren – aye. Motion passed unanimously.

The Commissioners ask Jim about tire purchases. Jim is going to send out a tire bid form and once the bids come back he will get on the agenda for the Commissioners to award the bid. The Commissioners ask Jim to send the tire bid form to in county and out of county businesses. Jim mentions that a previous Commissioner mentioned to only consider out of county businesses if they were at least 5% less than in county businesses. The Commissioners discuss that the lowest bidder will be considered. The Commissioners suggest buying tires in bulk if the price is low. Jim explains that he has a storage racks for tires so he could buy in bulk.

Commissioner Hegsted mentions that he received a concern in reference to a tree overgrown that is obstructing the view at 200 N/3500 E looking south. Jim says he will check it out.

Jim mentions that school bus routes have not been received from the Westside so he is unsure which routes will need to be plowed first.

Social Services – Edidt Ramirez

- **Executive Session 67-2345(D)**

Motion by Commissioner Hegsted to go into executive session at 11:04 am pursuant to Idaho Code 67-2345(D). Second by Commissioner Karren. Roll call taken. Commissioner Hegsted – aye. Chairman Karren – aye. Motion passed unanimously.

Moved back into open session at 11:45 am.

Motion by Commissioner Hegsted to approve #2012-02, to approve #2012-12, to deny #2012-14 because of sufficient income, to deny #2012-16 because of voluntary unemployment, and to deny #2012-17 because of voluntary unemployment. Second by Chairman Karren. Roll call taken. Chairman Karren – aye. Commissioner Hegsted – aye. Motion passed unanimously.

Lunch

Commissioners

- **Alcohol Ordinance**

Discussion held on amending the alcohol ordinance. A draft amendment is provided for the Commissioners to review. Commissioners question #3 under A and #4 under B. Emily explains that she copied from the state statute. The Commissioners ask Emily to work with Robin to make sure that those two items are the same as state statute.

Motion by Commissioner Hegsted to hold a public hearing on the proposed amended alcohol ordinance. Second by Chairman Karren. Roll call taken. Chairman Karren – aye. Commissioner Hegsted – aye. Motion passed unanimously.

- **Claims**

Motion by Commissioner Hegsted to approve the claims dated October 24, 2011 through November 11, 2011 to total \$324,801.60. Second by Chairman Karren. Roll call taken. Commissioner Hegsted – aye. Chairman Karren – aye. Motion passed unanimously.

- **Commissioner Meeting Minutes**

Motion by Commissioner Hegsted to approve the minutes of October 24, 2011. Second by Chairman Karren. Motion passed unanimously.

Jeff Siddoway

- **Sheep Trails on BLM Land**

Jeff explains that western watershed is an extreme environment group who requested and reviewed grazing permits for BLM and the forest service. Upon review, they found that the BLM did not have NEPA work and they threatened BLM with a lawsuit. BLM decided to stop trailing and focus on obtaining the NEPA documentation. In the mean time, the sheep owners can not trail. Jeff explains that a group got together to discuss how they could continue to trail and RS2477 came up which would allow the county to take ownership of a road. The group decided to ask the county to take over a two track dirt road which is why Jeff is here. Jeff provides a map that displays the road. Jeff does not believe there is any liability issues if the county declares ownership of the road. Chairman Karren asks how much road is in Jefferson County. Jeff says he thinks approximately 12 miles. Commissioner Hegsted asks how the county takes ownership of the road. Jeff says he thinks the county just declares it. The Commissioners ask what the deadline is. Jeff explains that bands of sheep come out later this month or the first part of December dependent on the weather and that the Walker's have some cattle that will need to be moved.

Commissioner Hegsted explains that before a decision can be made the pros and cons of the county declaring ownership, liability issues, and the precise process will need to be researched. Chairman Karren mentions that the board will seek legal advice and discuss the road with public works, Fremont County, and the Sheriff's Office. Chairman Karren asks for this issue to be on the next agenda with all parties invited.

(Cancelled) - Mud Lake Mayor – Sherry Locascio

Zions Bank –Alan Westenshow

- **County Outstanding COP**

Alan Westenshow, Public Finance, along with his partner have been working with municipalities a crossed the state of Idaho to save money. Alan provides some history on bonds. Alan discusses the general obligation bond which pledges the tax base. Alan explains that in order to pass a general obligation bond, a 2/3 majority vote is needed. Alan mentions that instead of a general obligation bond, the county did a lease purchase agreement with Zions. Alan discusses the counties bond and that they fluctuate. He explains that the first half of the bonds is fixed and the other half is floating which resets every five years. Alan mentions that the reason he is here is because of the Idaho bond bank and the historically low fixed rates. Alan discusses that we could refinance all of our bonds for a fixed net interest cost of 2.6295833% and that would result in a net present value benefit of \$56,423.89. Alan explains that we can go ahead and apply and then if we decide against it, we can withdraw the application before the December's meeting. Alan discusses that it won't cost us anything and that we will lock in the interest rate over the lifetime of the project. Commissioner Hegsted asks why we wouldn't do it. Alan mentions that if we wanted to ride the market then we wouldn't.

Motion by Commissioner Hegsted to start the process of applying for the Idaho Bond Bank. Second by Chairman Karren. Roll call taken. Commissioner Hegsted – aye. Chairman Karren – aye. Motion passed unanimously.

Carl Legg – Watco Co

- **Jefferson Greens Exit**

Carl Legg, Director of Marketing, discusses the Jefferson Greens crossing. Carl explains that Watco Transportation Services is willing to put together a private crossing agreement for emergency use only. He discusses that crossings are huge liabilities to the railroad. He mentions that there is an existing easement for agriculture use and that there is no agreement in place now. Robin mentions to the Commissioners that we would remove the barrier and put up a breakaway fence so that private residents could not use it. Robin mentions that when he got the proposed agreement it had language that required a 5 million dollar insurance policy, that the county would be required to pay for watchmen as needed, and that the county would pay for a crossing arm if necessary. Robin sent a list of revisions to the railroad. Robin mentions that the agreement was scheduled to be done October 21st, but the language needs to be revised and that is why they are before the Commissioners. Robin asks the railroad if the thirteen crossings here to Rexburg have agreements. The railroad says that the ones within the last fifty years do. Rob Thrall, Vice President of Operations, mentions that the liability of this crossing is probably very minimal, but there still is a liability. Carl mentions after receiving Robin's comments they took out the application process, fees, and indemnity language, but they cannot give up the boiler plate language with the 5 million dollar insurance. Carl mentions that this crossing would need to have a stop sign and the breakaway fence. Robin asks the railroad to highlight the things that are most important to them. Robin mentions that the county would take care of the costs of the breakaway fence so that the railroad does not have to spend any money. Commissioner Hegsted asks about the 5 million dollar insurance policy, Carl says they have never signed a county agreement so the boiler plate language was written for private agreements. Commissioner Hegsted asks about the line that crosses 300 N and if the county has them insured. Robin asks about public crossings. Rob Thrall explains that a public crossing has DOT # and private crossings do not. Rob Thrall explains that in the future for proposed subdivisions, the railroad needs to be contacted because if two crossings have to be put in, two crossings have to be taken

out. Commissioner Hegsted asks Chris to talk to ICRMP to see if we can insure a county emergency crossing for 5 million. Chief Deuel mentions if it will make any difference to ICRMP because we counted the second road as a county road when we put in the subdivision. Chief Deuel questions the 5 million insurance because the barrier will prevent people from entering. Robin mentions that if we can not get the insurance we will have to take further action.

Clerk – Christine Boulter

- **Clerk Business**

Chris distributes the Commissioners' mail.

Discussion on insuring the rental building that houses probation at 530 Rigby Lake Drive, Rigby, ID. Chris mentions that ICRMP will not insure the building because we are only renting the upstairs. Discussion held on the owners' maintaining insurance and the county reimbursing them for part of it.

Motion by Chairman Karren to reimburse Dr. Adams and Dr. Harper for maintaining insurance on the rental probation 530 Rigby Lake Drive, Rigby not to exceed \$500 a year. Second by Commissioner Hegsted. Roll call taken. Commissioner Hegsted – aye. Chairman Karren – aye. Motion passed unanimously.

Attorney – Robin Dunn

- **Executive Session 67-2345(F)**

Motion by Commissioner Hegsted to go into executive session at 4:17 pm pursuant to Idaho Code 67-2345(F). Second by Chairman Karren. Roll call taken. Commissioner Hegsted – aye. Chairman Karren – aye.

Moved back into open session at 4:20 pm.
Discussion held on pending litigation.

Commissioners sign the canvassing the votes for the November 2011 consolidated elections for Roberts Fire, West Jefferson Fire, City of Lewisville, City of Menan, City of Mud Lake, City of Rigby, City of Ririe, and City of Roberts.

Meeting adjourned at 4:22 pm.

Chairman of the Board

Clerk of the Board

County Clerk