

**Jefferson County Commissioner Meeting Minutes  
December 12, 2011**

Meeting called to order at 9:00 am. Those present are Chairman Karren, Commissioner Hegsted, Commissioner Raymond, Dan Denning, and Christine Boulter. Emily Kramer is clerk of the board. Dan Denning gave the Pledge of Allegiance and Emily Kramer gave the prayer.

**Commissioners**

• **Bid Opening-Lake Well Drilling**

One bid from Denning Well Drilling, Inc. was sealed and received on December 9, 2011 at 11:39 am. A 5% bid bond, a certificate of liability insurance, a certificate of workers compensation insurance, a copy of Denning's well drilling license, and a copy of Denning's public works contractor's license accompanied the bid. The bid totaled \$27,790.50.

**Motion** by Commissioner Hegsted to accept the bid from Denning Well Drilling, Inc. for a total of \$27,790.50 for the well drilling at Jefferson County Lake Campground subject to the county's hydrologist's review. Second by Commissioner Raymond. Roll call taken. Commissioner Hegsted – aye. Commissioner Raymond – aye. Chairman Karren – aye. Motion passed unanimously.

**Commissioners**

• **Public Hearing-Alcohol Ordinance Amendment**

Public hearing open at 9:30 am for public comments on the amendments to the Jefferson County Alcoholic Beverage Ordinance. Chairman Karren explains the public hearing rules. Chairman Karren mentions that the comments heard will be from those in favor, those neutral, followed by those opposed. Chairman Karren asks if the ordinance was published. Emily states that the amended ordinance notice was published twice in the Jefferson Star, fifteen days prior as required by law and the ordinance was available for review in the Clerk's Office.

Comments in favor:

Keith Smith at 329 E 2<sup>nd</sup> N, Rigby, ID 83342 feels that the amended ordinance will promote growth. Robert Goody at 3791 E 500 N, Rigby, ID 83442 is opposed to any ordinance that restricts people. Robert thinks diversity will entice more businesses. Robert would like to see businesses succeed.

No neutral comments.

Comments opposed:

Jody Dansie at 471 N 4100 E, Rigby, ID 83442 is concerned with the Sunday hours. She explains that in the summertime, people will be playing golf in the morning and will want a breakfast beverage. Jody worries that people will sneak their beer in their bag at the golf course and she will not be able to monitor it. Jody would like to be able to monitor alcohol sales all day. Chairman Karren asks if Jody has a suggestion. Jody suggests similar to the State Code.

Public hearing closed at 9:44 am.

Discussion held by Commissioners.

**Motion** by Commissioner Hegsted to pass the amended alcoholic beverage ordinance as published. Discussion held by Commissioners. Second by Commissioner Raymond. Roll call taken. Commissioner Hegsted-aye. Commissioner Raymond-aye. Chairman Karren-aye. Motion passed unanimously.

### **Public Works-Jim Boulter**

- **Landfill**

Jim distributes a Circular Butte Landfill Waste comparison that shows fees collected from November 1, 2010 – November 30, 2010 were \$64,320.36 and from November 1, 2011 – November 30, 2011 were \$85,341.21. Jim explains to the Commissioners that Eagle Rock has not paid their landfill bill. The Commissioners ask Robin for advice. Discussion held.

**Motion** by Commissioner Hegsted to have legal counsel draft a letter to Eagle Rock in reference to their outstanding bill and submit for the Commissioners' approval before the end of the day. Second by Commissioner Raymond. Roll call taken. Commissioner Hegsted – aye. Commissioner Raymond-aye. Chairman Karren-aye. Motion passed unanimously.

Jim distributes a monthly landfill billing spreadsheet from October 2010 – September 2011.

- **On-Call Compensation**

**Motion** by Chairman Karren because of time constraints to amend the agenda at 3:00 pm to discuss on-call compensation. Second by Commissioner Raymond. Roll call taken. Commissioner Hegsted-aye. Commissioner Raymond-aye. Chairman Karren-aye. Motion passed unanimously.

### **Landon Thurgood**

- **Courthouse HVAC**

Landon would like to hear the concerns the county has in reference to the installation of the HVAC so that they can move forward. Chairman Karren mentions the concerns are (1) the platform and (2) the electrical problems. Chairman Karren explains that the county wants reimbursed for the necessary electrical corrections and correction of the boiler platform to pass inspection.

Robin explains that the platform is not properly supported as required by the National Boiler Inspector Code. Chairman Karren mentions that the boiler needs to pass inspection. Discussion held. The Commissioners agree to an onsite visit with the county, Landon, and the boiler inspector in order for work to commence.

Discussion on the electrical problems is held. Scott explains that the State inspector just completed the inspection and we have not received a report yet. Landon asks if it would be possible for them to hire the electrical contractor to have the work completed. Robin mentions

that we have made commitments to our electrical contractor. Robin suggests that the Commissioners allow Paul Field to complete the work because the county has made a commitment to him. Commissioner Hegsted asks Scott how the electrical problems have come about. Scott explains that we found a problem, the electrical contractor came in, he called the State inspector, and the State completed an inspection.

Robin mentions that the county wants the platform fixed and the electrical problems fixed. The Commissioners agree to authorize Mr. Field to fix the electrical problems found in the inspection. Robin suggests to the Commissioners that when we get the bill, we let Landon review it. The Commissioners ask Emily to call the inspector and schedule an onsite visit with all parties involved.

### **Social Services – Edidt Ramirez**

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

**Motion** by Commissioner Raymond to go into executive session at 11:10 am pursuant to Idaho Code 67-2345(D). Second by Commissioner Hegsted. Roll call taken. Commissioner Hegsted – aye. Commissioner Raymond – aye. Chairman Karren – aye. Motion passed unanimously.

Moved back into open session at 11:32 am.

**Motion** by Commissioner Hegsted to deny #2012-20 for lack of information, timeliness, and possible residency issues; to deny #2012- 21 for lack of information, for ability to pay, and non emergent; to deny #2012-22 for lack of information; to approve #2012-23; and to deny #2012-26 for lack of residency. Second by Commissioner Raymond. Roll call taken. Commissioner Hegsted – aye. Commissioner Raymond – aye. Chairman Karren – aye. Motion passed unanimously.

### **Lunch**

### **Loren Grant**

- **Property Tax**

Loren and Charlene Grant are here to request a tax reduction on Parcel #RP04N38E354946. Loren mentions that he is suffering financial hardship. Charlene explains that she takes cares of Loren and lives with him. Charlene mentions that when they bought the house up here, the first year the house sat empty and they never got the homeowner's exemption. Once they filed the homeowner's exemption the tax went lower. This is their only home in Jefferson County. Charlene explains that their CA home is pulling them down. Robin asks if they would be willing to give the county a deed of trust on the CA home. Robin explains that the county is not in the business of forgiving debt because it has already been spent. Chairman Karren discusses that there is a homeowner's exemption and a circuit breaker program. Commissioner Raymond asks what the qualifications are for the circuit breaker program. The Assessor explains that they have to be disabled, over 65, and under \$28,000 a year. The Assessor mentions that with the home in the father's and the daughter's name, that may disqualify them. The Assessor explains that they can apply from January through April for circuit breaker. Commissioner Raymond explains that the county accepts monthly payments. The Treasurer explains that if they can clean up 2008, that stops any pending action for a year. The Commissioners explain that they are not able to

reduce taxes, but ask the Grants to meet with the Treasurer and the Assessor in reference to deeds of trust and the circuit breaker program.

### **Larry Chapple-Evie Gilstrap-Thompson Engineering**

- **Rolling Hills Div. #3**

Kevin explains that they met in October about the subdivisions that were approved, but not recorded. Rolling Hills Acres Division #3 has not been recorded. Kevin explains that the subdivision has a water system and sewer lots. Kevin says that people want a different lot size because they want a home plus a shop. Larry outlines that the septic system for the lots that on the #3 sewer would have to be 25 ft deep because the ground is so low and that it won't be feasible to put the sewer in. Evie discusses that they had to re-engineer the system because it is not working as they originally anticipated.

Kevin discusses that for division #3, they want to keep the same theme, but go for larger lot sizes, with less lots, and no central sewer system. Evie mentions that they are thinking about combining lots. Larry distributes pictures of the topography. Larry mentions that operating the sewer systems have changed since start up. Larry discusses that they would have individual septic systems on this division. Kevin mentions that there is not enough time to have everything changed before the end of the year which was the deadline given for recording. Kevin explains that they are requesting an extension.

Naysha mentions that anytime there is a change they start over. They go back to a preliminary phase, redraw, and have a public hearing. Naysha explains that it was zoned R1 when they started, but it has reverted back to Ag5 so without an extension they would have to start over. Commissioner Hegsted asks Naysha how much time she thinks they would need. Naysha says about three months. Larry thinks it would take about six months to redesign. Chairman Karren asks if Naysha sees any disadvantage of approving an extension. Naysha explains that larger lots are what people are looking for and that she recommends an extension. Commissioner Hegsted asks about stubbed roads. Kevin says asphalt is laid down to division three. Commissioner Raymond asks if the health department is involved. Kevin says yes. Kevin discusses that Ray is usually concerned with high water and rock which is not an issue at this division.

**Motion** by Commissioner Raymond to grant a six month extension until July 1, 2012 on the filing of a preliminary plat application of Rolling Hills Acres Division #3. Second by Commissioner Hegsted. Roll call taken. Commissioner Hegsted-aye. Commissioner Raymond-aye. Commissioner Karren-aye. Motion passed unanimously.

**Motion** by Chairman Karren to amend the 2:00 pm agenda item to add the signing of the continental divide CWMA cost share grant proposal. Second by Commissioner Raymond. Roll call taken. Commissioner Hegsted-aye. Commissioner Raymond-aye. Chairman Karren-aye. Motion passed unanimously.

### **Weed Department-Mitch Whitmill**

- **Continental Divide CWMA Cost Share Grant Proposal Signage**

Commissioner Raymond signs the cost share grant proposal which is a fifty/fifty cost share. Mitch explains that the county uses labor and equipment as their cost share.

- **Delinquent Accounts Receivable**

Mitch explains that a number of projects this summer were enforcement issues and notices were sent. Out of the notices sent, two have not paid. One is invoice #25 due 08/07/11 from SEC of HUD Washington DC, C/O Harrington, Moran, Barksdale Inc., 888 Walnut St, Pasadena, CA 98302 for \$244.82 on RP006180010020. The second one is invoice #7 due 06/12/11 from Federal Home Loan Mortgage Corp, 400 National Way, Simi Valley, CA 93605 for \$79.25 on RP04N38E336285. Mitch explains that since we have never received payment, after sixty days we have the authorization to attach a lien. Mitch asks what the process of attachment is. Chris explains that Mitch needs to visit with the Treasurer.

### **Planning & Zoning-Naysha Foster**

- **Road Right-of-Way Discussion**

Naysha has a question on a road right-of-way issue at Dream Village that she is working on. The property owner wants to own the road. In research, Naysha has found that part of the road was deeded to the county and the other part we have a right-of-way agreement. Naysha mentions that one statute says that with an easement fifty percent goes to the property owner to the south and fifty percent to the property owner to the north. Another statute says you auction it. Naysha is here to find out what she needs to do. Commissioners ask Naysha to work with Robin on this issue.

- **Impact Agreement Audit**

Kurt Hibbert, consultant for city impact agreements, is here in reference to obtaining feedback on the impact agreement audit. Kurt discusses an audit's purpose. Kurt discusses appointing separate impact area P & Z Commissions for ease of administration. Kurt says they have done it in Madison County based on administrative capacity. Commissioner Hegsted asks about the makeup. Kurt says at least two members and it is about joint planning. Kurt says that there would be a hybrid situation and wants to know if the Commissioners are okay with the P & Z Commission discussing it. Naysha is in favor of the burden being taken off of the P & Z Commission. The Commissioners authorize Kurt and Naysha to hold a meeting. Kurt explains that commission members in the impact area are appointed by the county and then another recommended by the city with the county appointing. Kurt says it places some of the burden back on the city. Naysha mentions that you appoint them to be a commission member in a county impact area commission from the city commission.

### **Commissioners**

- **Sheep Trailing**

Jerald discusses that he talked with a commissioner from Valley County and that they have designated a number of roads working with the Forest Service, but none with the BLM. Jerald found out that we would have to have a point A to point B and we have to show historical use prior to the Taylor Grazing Act in 1934. Once a roadway is designated, the only way it can be undesignated is to vacate it. Valley County worked with an attorney to draw it up, declare it, and recorded it with the Clerk's Office. Commissioner Raymond mentions that he thinks we need to look county wide for old roads with historical use to see if we need to declare for public use in the future. This issue will continue to be researched.

- **Commissioner Meeting Minutes**

**Motion** by Commissioner Hegsted to approve the minutes of November 28, 2011. Second by Commissioner Raymond. Roll call taken. Commissioner Hegsted – aye. Commissioner Raymond – aye. Chairman Karren – aye. Motion passed unanimously.

- **Claims**

**Motion** by Commissioner Raymond to approve the claims dated November 28, 2011 through December 9, 2011 to total \$274,823.85. Second by Commissioner Hegsted. Roll call taken. Commissioner Raymond – aye. Commissioner Hegsted – aye. Chairman Karren – aye. Motion passed unanimously.

**Public Works-Jim Boulter**

- **On-Call Compensation**

Jim reports that Bonneville County does not offer on-call compensation unless they call them in. Madison County offers two hours a weekend if a person is on-call. Fremont County does not do anything. Bingham County rotates people on-call and employees are asked to stay within twenty to thirty minutes. Chris explains that the DOL has held that on-call compensation is not required in cases similar. Chairman Karren asks how many would be needed to be on-call each weekend. Jim answers one person a weekend and that it is primarily for sanding and signs. Jim explains that he is trying to set up a system that would work on the weekends that would not cost the county dollars, but would provide needed coverage and help morale. Chairman Karren asks what other county departments have on-call. Chris explains Court employees are on-call, but it is really rare. The Commissioners ask Jim what he recommends.

**Motion** by Commissioner Raymond to authorize the Road and Bridge Department employees to receive two hours of compensatory time per scheduled on-call weekend along with compensatory time for actual time worked. Second by Commissioner Hegsted. Roll call taken. Commissioner Raymond-aye. Commissioner Hegsted-aye. Chairman Karren-aye. Motion passed unanimously.

Jim reports on the two tree issues that were brought to his attention.

**Clerk-Christine Boulter**

- **Clerk Business**

Commissioners sign a right-of-way authorization for the Egin-Hamer Road. Commissioners sign a property tax cancellation for Parcel No. RPA07000030010 which was approved in a prior meeting. Commissioners sign a request for retention of county vessel funds for the amount of \$11,244.46 which retains the remainder of the 2010 funds of \$8595.06 with the remaining 2011 balance of \$2,649.40. Chris discusses that there is a mention of turning back the liquor money and that she feels we should hold it and see what the future brings. Chris mentions the Idaho Bond Bank application and that the county was approved. She also mentions the Agreement for Financial Advisory Services and that it is required for Zions Bank to provide financial advisory services. The Commissioners would like Robin to review the agreement before they sign it.

**Attorney – Robin Dunn**

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

**Motion** by Chairman Karren to go into executive session at 4:04 pm pursuant to Idaho Code 67-2345(F). Second by Commissioner Raymond. Roll call taken. Chairman Karren – aye. Commissioner Raymond – aye. Commissioner Hegsted – aye.

Moved back into open session at 4:34 pm.  
Discussion held on county compliance with auditor.

**Meeting adjourned at 4:35 pm.**

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*Chairman of the Board*

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*Clerk of the Board*

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*County Clerk*