

## **Jefferson County Commissioner Meeting Minutes June 11, 2012**

Meeting called to order at 1:00 pm. Those present are Commissioner Hegsted and Commissioner Raymond. Emily Kramer is clerk of the board. Ron Baxter gave the Pledge of Allegiance and Commissioner Hegsted gave the prayer.

Commissioner Hegsted states that Chairman Karren asked him to be acting Chairman since she was not going to be present.

### **Planning & Zoning – Naysha Foster**

- **Public Hearing – Ron Baxter Zone Change**

Naysha explains that the property is located at 1440 E 1500 N, Terreton. It is currently zoned Commercial-one. It is not located in an impact area or in a flood plain. Ron Baxter applied for a Zone Map Amendment to change the zoning of approximately 2 acres where the house is located, from Commercial-one to Residential-one. On May 3<sup>rd</sup> there was a public hearing and there was no public comment. Naysha mentions that the P & Z Commission recommends approval of the Zone Map Amendment for Ron Baxter with the condition that the zoning be contiguous with the existing Residential One Zone to the south of the property.

Naysha opens the hearing up for public comment. No one is in attendance. The public hearing is closed at 1:10 pm.

**Motion** by Commissioner Raymond to approve ordinance 12-02 amending and changing the portion of property located at 1440 E 1500, Terreton of the Zoning Map as recommended by the Planning and Zoning Commission. Second by Commissioner Hegsted. Motion passed unanimously.

**Motion** by Commissioner Raymond to amend the agenda at 1:12 pm to discuss another planning and zoning issue for the reason that a call was just received on it this morning. Second by Commissioner Hegsted. Motion passed unanimously.

Naysha explains that she received a call from Myrle Hansen in reference to Teton Industrial Park Subdivision plat. Naysha reminds the Commissioners that Myrle came before them on February 27, 2012 in reference to the issue of a company in PA who is interested in putting a facility in block 2 of the subdivision. Myrle wants the County to agree to grant an access from 600 N and allow a building permit and establish the infrastructure at a later date. Naysha reminds the Commissioners that in February they directed Myrle to return to the Planning and Zoning Commission to amend the plat to include phases which would allow the subdivision to be developed in stages. Since that meeting, Myrle has contacted Thompson Engineering, but they are busy. The Commissioners mention that they would like to see the business come here. Naysha recommended the Commissioners do a development agreement if they choose to allow this to move forward, Robin needs to be involved. Commissioner Raymond said he would be willing to consider an agreement but he would like to see a definitive plan. Commissioner Hegsted asks what the cons are if we were to allow a private road all the way to the well lot. Naysha said precedent but if we did it with a development agreement we would have leverage for enforcement. Commissioner Raymond asks if we have experience enforcing a

development agreement. Naysha says no, we have not had to yet. Commissioner Hegsted would be agreeable to having Naysha run this by legal counsel and to see if a private road would be allowable. Naysha says she would recommend a time restraint. Commissioner Raymond is agreeable to Naysha discussing with legal as well.

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

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

**Motion** by Commissioner Raymond to go into executive session at 1:34 pm pursuant to Idaho Code 67-2345(D). Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Raymond – aye. Motion passed unanimously.

Moved back into open session at 1:50 pm.

**Motion** by Commissioner Raymond to deny #2012-56 for other resources, to deny #2012-59 for ability to pay, to deny #2012-55 for ability to pay, and to deny #2012-57 for lack of information. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Raymond – aye. Motion passed unanimously.

### **Joyce Stallings**

- **Property Tax Request**

Joyce explains that 7 years ago she sold her property in Lewisville. The new owner neglected to pay anything. She tried to foreclose, but was unable. He filed a lawsuit on her. Her attorney advised her to pay the bills to keep it for going up to tax deed hearing. She did and the property has been awarded back to her. Joyce is asking for taxes to be lowered or forgiven because for the years owed the property was in his name. Kristine says she owes 2009, 2010, and 2011 on both properties. She paid three years worth of Tony Rivera's taxes for about \$3800. Kristine Lund was under the impression before the meeting that she wanted the late charges and interest forgiven for a total of \$1030.64. Kristine Lund provides the total amount due on parcel #RP04N37E122585 which includes the taxes, late charges, and interests of \$4,613.27. The total amount due on parcel #RP04N37E122581 which includes the taxes, late charges, and interests is \$1,979.69. Commissioner Raymond asks what the intention is for the property. Joyce said she is not sure. It has so much damage she will have to do some work on it. Carla, Joyce's daughter, says when he left the place he did not winterize it. He abandoned it two years ago and they signed an agreement. Commissioner Hegsted asks who will be helping to get the property back. Joyce said hopefully her family. Joyce explains there are two different homes. Carla mentions that there is a farm house that is bigger and then a smaller rental home. Commissioner Hegsted asks if she is planning on selling. Joyce said she can't live out there. Commissioner Hegsted explains that the commissioners have difficulty forgiving taxes because the county is the collecting agency for the fire district, cemetery district, school districts, etc... He explains that the commissioners have more leniency to waive late charges and interests. Carla asks how we collect taxes. Kristine explains that the taxes follow the property and are assumable with the property. Commissioner Hegsted mentions that if we can't collect taxes, we will put it up for sale and collect that way. Kristine says we have time to work through some of the details. Commissioner Hegsted asks when 2009 are due. Kristine explains on Jan. 1, 2013 we process them. Carla mentions that because of the lawsuit and the way it happened it has made it extremely difficult to sell the property. All the issues of code will make it difficult to sell.

**Motion** by Commissioner Raymond to forgive the late charge and interests' fee on parcels #RP04N37E122585 and #RP04N37E122581 in the amount of \$1030.64 now owned by Joyce Stallings. Second by Commissioner Hegsted. Roll call taken. Raymond – aye. Hegsted – aye. Motion passed unanimously.

**Commissioners**

• **Claims**

**Motion** by Commissioner Raymond to approve the claims dated May 28, 2012 through June 11, 2012 to total \$326,133.27. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Raymond – aye. Motion passed unanimously.

• **Commissioner Meeting Minutes**

**Motion** by Commissioner Raymond to approve the minutes of May 29, 2012. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Raymond – aye. Motion passed unanimously.

**Motion** by Commissioner Raymond to approve the minutes of June 5, 2012. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Raymond – aye. Motion passed unanimously.

**Attorney – Robin Dunn**

• **Executive Session 67-2345(F)**

The meeting was not needed.

**Meeting adjourned at 2:47 pm.**

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*Chairman of the Board*

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*Clerk of the Board*

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*County Clerk*