

Jefferson County Commissioner Meeting Minutes
August 27, 2012

Meeting called to order at 9:00 am. Those present are Chairman Karren, Commissioner Hegsted, Commissioner Raymond, Naysha Foster, Christine Boulter, and Jim Boulter. Emily Kramer is Clerk of the board. Kristine Lund gave the Pledge of Allegiance and Christine Boulter gave the prayer.

DEPARTMENT HEADS - ELECTED OFFICIALS

• **STAFF MEETING**

Naysha mentions that she has called some other counties and cities and received a job description for the code enforcement position. Kristine discusses that a code enforcement officer could post warrant of distraints on properties. Chairman Karren asks if we have to cut the budget, should we create a new position. Commissioner Raymond says he would never be in favor of creating a position and then creating work. Commissioner Raymond says if we have a need for the position then those are two different things. Chris says that we started out having to cut \$800,000, then \$600,000, and now we are down to \$155,916. Chris mentions that she added a lot of money into the code enforcement position because of salary, benefits, and fuel. Commissioner Raymond asks what that position would cost. Chris offers to get her report. Chris asks departments to offer to make cuts if they have anything they know of. Robin Dunn arrives. Chris asks Robin about her published budget. She explains the computer generated report did not add up right. So the total number published is not right. Robin says he thinks we can publish a correction stating that there is an error in the total. Robin will research it. Robin says we need to adjust the budget to meet the revenue. Chris asks if any department could apply for a grant. Chris asks departments to only payout payroll and basics for the remainder of the year. If there are any other expenditures, Chris wants department heads to come in and meet with her before spending. Robin says he has been trying to build some goodwill with Ririe, Rigby, and Roberts. Robin asked the cities if they could come up with any funds to buy materials for the county to do some work for public relations. Commissioner Raymond mentions that we are not in the position to donate. Commissioner Raymond says he's all for building relationships with all communities in the county. Commissioner Raymond says he does not know where to start. Discussion held on public relations. Jim says Public Works sponsors the trailer and garbage bags for county roadside cleanup. Chairman Karren asks if anyone has any ideas for new revenue. Mitch reports that he has started back up on pre-emergent spraying. Jim asks about the mussels. Mitch says we are good so far. Sheriff mentions that a reserve deputy lost his home in a fire. Naysha mentions that they are having a number of public hearings. Chris reports that the compliance officer would cost \$78,000. Chris mentions that our insurance will not be increasing. Robin advises the Clerk after researching to republish the budget with the correct total.

PUBLIC WORKS – JIM BOULTER

• **SNOW REMOVAL POLICY**

Jim distributes a snow removal policy for the commissioners to review. Jim would like to add it to the Public Works policy. Jim says the policy reflects how we operate currently. Commissioner Hegsted asks for the fence paragraph to be clarified because the county is not

responsible for damage done in the right-of-way. Jim will make the changes and bring the policy back in for approval.

- **BUDGET DISCUSSION**

Jim mentions that we discussed the budget already in the department head/elected official meeting.

- **CAPITAL ITEMS**

Jim received a quote from the same person that did the Mud Lake fuel tank, Dellis Yarber, for a 12,000 gallon upright tank for Rigby for a total of \$16,595.64. Jim mentions that a fuel tank will allow us to save on fuel and store for emergencies. Commissioner Hegsted asks about the above ground tanks. Jim says they are in Montevideo. Commissioner Hegsted asks how much fuel a transport hauls. Jim says he thinks about 8,000 gallons. Commissioner Raymond asks where this tank is located. Jim says they will build it. Jim mentions that this is an idea for a future capital purchase. Chairman Karren asks Emily to look and see if an emergency management grant can help. Commissioner Raymond asks what future projects Jim has on hold. Jim says additions to the Rigby shop and Mudlake storage facilities have been stopped. The ceiling has been cleaned at the Rigby shop and the insulation should be installed next week. The door is on hold, the trailer is on hold, tractor on hold, purchasing a new snow plow is on hold, purchasing a new supervisor vehicle is on hold, the bridge project on 4100 is on hold, and replacing the culverts on 4100 from 400 to 300 is on hold. The bridge on 3900 is on hold and the Camas Bridge is on hold as well.

- **REPORT ON SOLID WASTE**

Jim distributes a waste fee comparison by month which includes a commercial solid waste fees collected report and fees collected summary. Bonneville County was the largest difference because we are in the position to accept their loads when they can not dump at their own because of wind, etc...

- **FUTURE FACILITY UPDATES & DEVELOPMENT**

Jim showed a map of the Circular Butte facilities that included future needs. Jim mentions that the rapid growth over the last decade and the aging facilities has created a need for facility updates and development in the near future. Jim mentions the needs are a larger shop area, storage space, and sand sheds. Jim says the development will reduce the care and costs, and increase the life of and serviceability of equipment and materials. Jim mentions that a future plan could be adding a transfer station at the county line landfill. Commissioner Hegsted asks what the budget was to operate the county line landfill. Jim says he will have to get the numbers and he will get back to the commissioners.

- **LRHIP GRANT SUMMARY SIGNATURE**

Jim asks for a signature on the 2012 Local Rural Highway Investment Program Documentation Summary to signify completion of the sign upgrade project. Chairman Karren signs.

Commissioner Hegsted asks Jim if PSI's tonnage went up or down. Jim says he didn't put tonnage on the sheet, but you should be able to tell by the dollar amount. The commissioners ask for a tonnage bar graph to be provided at the next meeting. Jim mentions we should schedule a road tour soon.

The commissioners sign a retail alcoholic beverage license for Heise Hot Springs.

The commissioners take a ten minute break.

SOCIAL SERVICES – EDIDT RAMIREZ

- **EXECUTIVE SESSION 67-2345(D)**

Motion by Commissioner Hegsted to go into executive session at 11:01 a.m. pursuant to Idaho Code 67-2345(D). Second by Commissioner Raymond. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

Moved back into open session at 11:33 a.m.

Motion by Commissioner Raymond to approve #2012-58, to table #2012-57 for rent verification and the medical review report, to approve #2012-63, and to deny #2013-02 for ability to pay. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

LUNCH

PLANNING & ZONING – NAYSHA FOSTER

- **PUBLIC HEARING – ORD. #2012-03 - MENAN IMPACT AREA AGREEMENT**

Robin Dunn provides an overview on public hearing procedure. Robin says all items appear to be clerically correct. Naysha explains that there was a public hearing on June 7th with the Planning & Zoning Commission. Public testimony was taken. The original proposal was to expand the impact area to the south however that portion of the proposed impact area will no longer be part of the agreement. The impact area that is already in existence will remain. A section on page 2 stated “in situations where the boundary is a road, the impact zone shall include housing adjoining and /or contingent to either side of the road itself”, but because Lewisville and Menans’ impact areas abut, Kurt Hibbert, County Consultant explains that P & Z Commission recommended removing that language. Commissioner Raymond asks if the center of the road is the dividing line between the two impact areas. Naysha explains that everything else in the agreement has remained the same since the last time it was reviewed by the County Commissioners. Naysha asks if the Commissioners have any questions. Commissioner Raymond asks to see a map. Chairman Karren asks for her memory to be refreshed on who would comprise the impact area Planning and Zoning Commission. Naysha explains the County would appoint the city’s Planning and Zoning Commission which includes 2 people from the impact area. The 2 members from the impact area’s votes would carry more weight than the other members. Commissioner Raymond asks if we are still using the rule of thumb that the impact area is no larger than what the city can expect to service in five years. Kurt adds that an impact area should only include what a city can reasonable expect to annex. Naysha asks if anyone else from the public would like to speak in favor, neutral, or in opposition. No one is

present. Naysha closes the public hearing. Commissioner Raymond says as he looks at the map that shows the impact area, do you think in five to ten years they will annex any of the outer areas. Nathan Bronson Menan City Council member, doesn't think they will annex all of the area, but there is potential in parts of that area, issues will arise, and the city will be impacted. Nathan says joint planning is another purpose for an impact area and that would benefit us all. Commissioner Raymond asks are we following natural geographical boundaries. Kurt says yes. Commissioner Hegsted is in favor of the City of Menan being involved in development in these areas.

Motion by Commissioner Hegsted to adopt the Jefferson County/City of Menan Impact Area Agreement Ordinance #2012-03. Second by Commissioner Raymond. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

Kurt says Ririe is right behind, they had a public hearing, and they may be a month out.

- **PUBLIC HEARING – ORD. #2012-04 - ZONE CHANGE – RYAN HOLMAN**

Ryan Holman applied for a zone change. A public hearing on July 12th was held with the Planning and Zoning Commission. The property is located at 524 N 3500 E, Lewisville. The existing zoning is light industrial. The property is 5.3 acres. He is proposing to change 3 acres of the eastern portion to R1 which is contiguous to R-1 zoning across the drybed. He would like to place a single family dwelling on his property. Light Industrial does not allow single family dwellings which is why he would like to change the zoning on a portion of his property and leave the rest light industrial so he can continue to operate his business. The Planning and Zoning Commission recommended the approval. Naysha opens the hearing up to the public. No one is present. Naysha closes the public hearing. Commissioners deliberate. Chairman Karren asks if we approve this zone change could he divide further and sell. Naysha says we only allow one division from 1988, if the property has been divided since then, he would have to go through the subdivision process, but yes there is potential for further division.

Motion by Commissioner Raymond to adopt Ordinance #2012-04 approving the zone change from light industrial to R1 at 524 N 3500 E, Lewisville. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

- **PUBLIC HEARING – ORD. #2012-05 - ADOPT 2009 INTERNATIONAL BUILDING CODE**

Naysha explains that we currently have the 2006 International Building Code adopted. The State has adopted the 2009 Code and once the State adopts a building code, the county only has a little bit of time to adopt it afterwards. The county is a little bit behind. Jeff discusses that we took out the electrical, plumbing, and HVAC. The square footage rose from 120 to 200 for a building permit. A fence can be 7 feet and then you need a permit. Water resistant barriers are still at the builders discretion. Deleted chapters 12 through 43 which were electrical, plumbing, and HVAC. We left the rebar section because the book says you don't need rebar for a 4 ft x 8 ft foundation wall and 30 by 30 grid requires rebar which is more restrictive. We are also adopting Appendix E of the International Building Code (IBC) and Appendix J of the International Residential Code (IRC). Also added Appendix F from the IBC requiring rodent proofing. On page 5, it used to say per charge per hour and we changed it to per inspection. Jeff asks if the

Commissioners are okay with the 30% refund if they follow the rules. The Commissioners are okay with it. Jeff mentions we did not adopt the Energy Code. Jeff says the State has adopted the energy code. Naysha says we don't want to adopt the energy code until we absolutely have to because we need to buy additional equipment for inspections and it is a huge expense. Naysha opens the public hearing. Jason Kofoed asks what screen type they are talking about. Naysha says anything that keeps rodents out.

Motion by Commissioner Raymond to adopt Ordinance #2012-05 which adopts the 2009 International Building and Residential Codes. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

The Commissioners take a fifteen minute break.

EXECUTIVE ASSISTANT – EMILY KRAMER

• RESEARCH ON JUSTICE DEPARTMENT ALLEGATIONS

Emily discusses her research on the eight Justice Department allegations. Her statement is as follows:

Allegation 1 and 2: In order to research allegation 1 and 2, I had to make a public records request for the travel vouchers. I reviewed the travel vouchers for the date of travel. I then reviewed the credit card statements for expenses on these travel dates. I am unable to account for \$42.25. This money may or may not have been reimbursed.

Allegation 3: The auditor provided two statements in reference to this allegation. I would like to read them into the record. The auditor did not find any issues with these accounts.

Allegation 4: I pulled the Owyhee Plaza Hotel statement that is referenced in this allegation. Two Lieutenants, a Captain, and the Sheriff stayed at the hotel during the date range of 11/13/10 – 11/20/10. The charges on the credit card statement are for all four rooms. The room charge per night was \$65. The state per diem rate is \$77. The allegation goes on to claim that only a partial amount was reimbursed and they attach a check at the bottom of the Owyhee Plaza Statement for \$345.07. This reimbursement check was for travel on 12/1/10 – 12/2/10. So I'm not sure what the correlation is between the two items. It appears there were no violations. C

Allegation 5: The Sheriff had no knowledge of the allegations of drug abuse that we believe you are referring to in this statement. The allegations were addressed internally by the Commissioners. The accused and accuser were not employees of the Justice Department.

Allegation 6: All employees are certified for the position that they are called upon to perform. I would like to go over the Idaho POST Region 3 Training Coordinator's letter for the record. Statement is shown on those whom are not certified. Certification is required per position. Recent hires are the only ones not certified.

Allegation 7: A department head/elected official has the authority to provide direction to his or her employees.

Allegation 8: Chairman Karren would you like to answer this allegation. Chairman Karren states this allegation was already addressed by the commissioners. The prosecutor went a step further and asked the attorney general, they are not going to do anything.

Lastly, there is a rumor that has not been mentioned here that I would like to address. People are claiming that the Justice Department has charged diesel to the county. The Justice Department has no diesel vehicles. I have reviewed 2008 – to present Valley Wide Co-Op statements. The county has not paid for any diesel charges.

Statement ended.

Commissioner Hegsted asks how would the diesel show up on the credit card? Emily said that the charge identifies by premium, diesel etc. It is specific to date and type of fuel. Emily gives an explanation of the statement. Commissioner Hegsted requests Emily to go over allegation 6. Emily reads the statement. Chairman Karren says according to the post trainer the other ones on the list are not required to have post certification. Commissioner Hegsted asks Emily to explain what she meant by “unaccountable”. Emily explains. Emily mentions that group mentioned that 10 were unaccounted for, but research shows different. Emily gives detail of how that was researched.

MIKE & BONNIE PETERSON – KLIFF BRAMWELL – JASON KOFOED

• JUSTICE DEPARTMENT

Jason Kofoed mentions his purpose for being here today is to ask the commissioners to deny a forensics audit. Jason explains that he has been watching this issue. Jason says he is not for the Sheriff or Jeff. Jason says it concerns him the amount of money that would be spent on a forensics audit. Jason mentions that during the budget hearing for the Midway Mosquito District they approved a 1.1 million dollar budget and not one citizen was present for the budget hearing.

Mike Peterson says he is a long time member of the community. Mike Peterson presents a petition to the commissioners that was signed by people throughout the community. Mike Peterson reads the top of the petition that states, “A group came before the County Commissioners on August 13th with 8 allegations against the Justice Department that were without merit. They mentioned that trust needs to be restored. We trust Sheriff Blair Olsen and the Justice Department. We are opposed to spending county funds on an unwarranted audit and/or investigation. We, the undersigned, are concerned citizens who urge our leaders to act now to prevent wasting county funds on an unwarranted audit and/or investigation of the Justice Department.” Mike leaves the petition with the commissioners.

Mike Peterson explains that he and his wife have spent a number of hours listening to members of the community. Mike says there is further damage being done. Mike says he has full trust and faith in the commissioners. Mike would ask that this issue be brought to an end using the information you have access to. Mike says lets end this. Let’s get the healing started in this community. Mike says there is more going on then what we will talk about. Mike says he came to a meeting a couple of weeks ago. Mike says his feelings and heart got to a place he didn’t want them to be in. Mike says its time for us to put an end to it. Mike says in his school board job we would do things to make it better. Mike says he’s been through a forensics audit, and it sapped our resources. Mike say says there is time for a forensics audit, there is time for attorneys, and it is time to put it to rest. Commissioner Hegsted asks if the people who signed the petition are from this community. Mike says he won’t answer that, he had a lot of help from the community on obtaining signatures.

Kliff Bramwell was unable to attend the meeting, but asked for his letter to the editor be read. Chris reads:

August 15, 2012 To the Editor,

I usually don't get into politics with other people and keep my own views to myself. People who know me may think otherwise, but this is my first letter to any editor. I have watched the news, and read in this paper, and in the Post Register about the controversy concerning the sheriff's wife having a county cell phone. I have my own views about this and will share them with you. I realize that other people may have differing views, and I am OK with that. My business requires that we deal with emergencies. Many of these emergencies are life threatening to pets and livestock. My wife and the wives of my associates are fundamental in assuring that the veterinarian on call can be reached. Cell phones, as reliable as they are, do have weaknesses. Dead batteries, profiles left on meeting mode, ringer tones too quiet, or the person trying to be reached is using equipment too loud to hear the phone, are all examples of those weaknesses. A backup phone carried by another person is not a bad idea. Who better to know how to contact the sheriff during his free hours than his wife? Is it ok with me if she uses it for personal calls? Yes! I wouldn't expect her to have to carry two phones around with her and keep them both charged. Will it cost the county extra money if she uses the phone for personal use? I doubt it. Do we pay her to help the county find her husband in an emergency? I doubt that also. My point is, the sheriff's wife should have a county cell phone. If someone disagrees with me, then maybe we could agree that the issue is in a gray area and could be argued for or against. Now for the part that drives me to write this letter. I understand there is a group of people who feel that we need to do an audit of the sheriff's office because of this controversy-- a controversy that could be argued for or against. People calling for an independent audit are implying that the sheriff's office is misusing funds. This cell phone issue does not measure up to any standard of wrong doing that would call for spending tens of thousands of taxpayer dollars on an audit. Some of those dollars are my taxpayer dollars. I don't want my money wasted in this matter. Please spend it on the roads in this county! The county commissioners now have a county cell phone use policy in place. If there are people who don't agree with the way this has been handled, please spend your OWN money and elect commissioners and a sheriff that agree with your position in the next election. I respect and trust our commissioners and sheriff. I am thankful that they are willing to be in public service. It can be a thankless job.

Kliff Bramwell
PO Box 44
Lewisville, Idaho
754-4301

CHRIS CAMPBELL

• JUSTICE DEPARTMENT

Chris distributes his statement and reads it into the record:

Before we begin, I want to thank each of you for the time and effort you put into researching the issues we provided two weeks ago. Although I was unable to attend the 2pm session today I have spoken with Emily Kramer with regards to her findings. I know personally that there have been countless hours spent by all involved to try and resolve these issues at hand. The 8 points that were presented last week represent only a fraction of the concerns that hundreds of patrons in this county have. We recognize and are respectful of the fact that there are people on both sides of these issues. Our intent was and is to bring to you as commissioners the inconsistencies that we have been seeing and hearing and allow you the opportunity to call for an independent

investigation of the issues. Again, all we were and are asking for is a non-partial, independent, 3rd party look into the financial and business dealings of the Sheriff's office. Keep in mind that your decision today as well as our request was and is not one to prove innocence or guilt, it was and is merely one of several steps intended to provide open transparency and answers within the leadership of our elected officials. We appreciate your help in trying to clear up some of those questions. Too many people on both sides of these issues have made this a personal and emotional issue which is not right or fair to anyone involved. Hopefully your research over the past two weeks has resulted in your ability to put to rest a few of the questions that we have. As stated last week, I personally would love nothing more than to have all 8 items which we brought up 2 weeks ago dismissed because there was unfabricated evidence to counteract the few items that we were able to provide via our FOI requests. I, more than anyone am tired. I am tired of the rumors, I am tired of the research, I am tired of the emotional upheaval that has divided this county. My plea today is for one of healing. Stop the rumors, stop the countless hours spent by the clerk's staff researching FOIA requests, stop the emotion and mistrust that has divided our community. If there is nothing to hide an independent audit or investigation will reveal that and we hope that it would. As President Reagan so boldly stated to the Russians prior to the signing of the INF treaty: "Trust with Verification!" That is all we are after.

We are grateful for your work in refuting several of the issues brought to light 2 weeks ago. Although we don't entirely understand and agree with every refuted point, we truly appreciate and can relate to the effort involved in researching these issues. In reference to some of the issues we brought forth last week particularly the under reimbursed expense warrants returned to the county and the cell phone issue, Pursuant to Idaho Code 18-5701 which directly addresses the "Misuse of public moneys by public officers and public employees." we read (and I will only read the highlighted portions of that section)

"No public officer or public employee shall:

- (1) Without authority of law, appropriate public moneys or any portion thereof to his own use, or to the use of another; or
- (2) Loan public moneys or any portion thereof; or, having the possession or control of any public moneys, make a profit, directly or indirectly out of public moneys, or use public moneys for any purpose not authorized by law; or
- (3) Fail to keep public moneys in his possession until disbursed or paid out by authority of law when legally required to do so; or
- (4) Deposit public moneys or any portion thereof in any bank, or with any banker or other person, otherwise than on special deposit, or as otherwise authorized by law; or
- (5) Change or convert public moneys or any portion thereof from coin into currency, or from currency into coin or other currency, without authority of law; or
- (6) Knowingly keep any false account, or make any false entry or erasure in any account of or relating to public moneys; or fraudulently alter, falsify, conceal, destroy or obliterate any such account; or
- (7) Willfully refuse or omit to pay over, on demand, any public moneys in his hands, upon the presentation of a draft, order or warrant drawn upon such public moneys by competent authority; or
- (8) Willfully omit to transfer public moneys when such transfer is required by law; or

- (9) Willfully omit or refuse to pay over to any public officer, employee or person authorized by law to receive the same, any public moneys received by him under any duty imposed by law so to pay over the same; or
- (10) Knowingly use any public moneys, or financial transaction card, financial transaction card account number or credit account issued to or for the benefit of any governmental entity to make any purchase, loan, guarantee or advance of moneys for any personal purpose or for any purpose other than for the use or benefit of the governmental entity.

The question we ask ourselves today is, in your research and ours, are there issues that are in violation of this Idaho statute. "Have there been any public officer(s) or public employee(s) that without authority of law have appropriated public moneys or any portion of moneys to their own use, or to the use of another, or knowingly used any public moneys ... for any personal purpose or for any purpose other than for the use or benefit of the governmental entity?"

I believe if we were all truthful with ourselves, the answer to that question would be yes. And if your answer is yes, we have a constitutional obligation to right the wrong and take appropriate action regarding the misuse.

On another note, let me back up a few months to help you as a board of commissioners understand why I believe we are in the situation we are in today and how I believe this entire mess could have been prevented. Hopefully we can use this experience to our benefit and learn from it, if not, it has indeed been a futile effort by all involved. Several months ago when the cell phone issue first came to light, we approached Commissioner Karen by phone regarding our concerns. We were told in our response to our concerns: "Is it really that big of a deal?" Other commissioners were contacted directly with similar responses and actions. Shortly thereafter, the Sheriff refused to comment or answer any questions stating that the entire cell phone allegation was just a ridiculous rumor. Later when we requested public cell phone records, we were told we could not have them and the county had to be sued to even get those public records. Several times numbers of us tried to contact the Sheriff without any return calls or letters. The cell phone issue turned out to be more than just rumors and it was proven that the sheriff's wife did in fact have a county paid for cell phone. Additional questions arose and FOIA requests began. Several months later the commissioners release a cell phone policy viewed by many as side stepping the issues without any retribution, remark, or action toward the years of cell phone misuse by the Sheriff's office. Is it any wonder to you why we as citizens feel a lack of transparency and trust from our elected officials? I believe that people on both sides of these issues would agree that this entire mess would have gone away if two things would have happened.

1. If the Sheriff would have stood and assumed responsibility for his actions rather than try to mislead, ignore, or cover up the issues.
 2. If the commissioners would have immediately taken action to let the public know they would look into the issue, submitted a statement in support of the people, and set forth a cell phone policy that makes sense rather than trying to cover, ignore, or side-step the issue.
- If I may use an analogy, when you go into the dentist with a tooth ache you expect the dentist to do something about it, not tell you that it's really not that big of a deal, or tell you that your tooth really doesn't hurt, or send you home without doing anything, or tell you nothing is wrong. This experience has been one big tooth ache and our persistent visits to the dentists have not fixed the aching tooth but rather resulted in a dislike for dentists.

In conclusion, the question at hand now is one of mending and fixing. What can we do that will heal the disease in this county, right the wrongs, and move on? I would offer the following suggestions:

1. I believe first and foremost that an open, impartial investigation of the sheriff's office is in order and should be at the top of our list moving forward. This will bring closure to those concerned and provide an open platform for building on in the future.
2. I believe that we need to carefully and publically create new and alter existing policies to set proper bounds and guidelines for our elected officials. I would be happy to provide suggestions of what I would like to see altered and added as county policy.
3. I believe we need to tighten up our auditing processes. By law the county is subject to an audit once a year. In talking with Searle and Hart, the current audit is more of a broad brush stroke across the county books. There is no real depth to it and it is more of an accounting exercise to make sure column A matches column B. I would recommend that the county not get in a habit of using the same auditing firm but change your auditing firm up every 3rd year or so to keep a fresh look at the books. Additionally, I would recommend that an in depth audit be budgeted for and executed on a routine basis, possibly every 3rd year or every other year. This can pin point a particular department or departments for an in-depth audit or can detail the entire county depending on budget and policy.
4. I believe the county and county officials need to be more outspoken to the public. An easy way to do this is to post the county's "official statement" or the official statements and positions of county officials related to a particular subject on Facebook or on the county website. Providing open communication, gives the media reliable and factual information that they can use to report on and provides everyone with a source to refer to for information, meetings, policies, etc. I commend the county for finally putting up a Facebook page and would council them to continue to use it and all social media outlets for getting the right information out the public and lots of it. Madison County posts their annual audit on right on their website. In this case, too much information is better than not enough. A lot of this mess could have been avoided had there been open and honest communication by all parties involved.
5. I believe we need to implement better accounting practices between departments especially between the clerk's office and the sheriff's department so there are additional checks and balances. I have been told by many elected officials that the sheriff's office is the "holy grail" and really does not have the checks and balances in place that it should. Our FOIA requests also provided insight to the fact that accounting and expense information does not readily flow between the sheriff's and clerks offices.
6. I believe that now more than ever we need to forgive and move past the hard feelings and emotion that we have allowed to enter into our lives. Let's move forward and do the right thing by forgiving and allowing others to forgive us by our actions. Let's move forward with a new resolve to work hand in hand as a local government that works by the people and for the people. Before I conclude, for the record, I would like to ask a direct question to each of you individually as commissioners. In light of the Idaho state statute referenced here today and other state status which you took an oath to uphold, do you as commissioners feel like you have individually researched and properly exercised your fiduciary responsibilities to the people of this county in regards to the issues brought before you related to the misuse of moneys in the sheriff's office?

Statement Stopped

Commissioners Answer the Above Question: Chairman Karren says yes. Commissioner Hegsted says yes. Commissioner Raymond says yes.
Statement Continued:

We appreciate your time in this matter and understand that each of you have a difficult job to do. Let's all walk away from this together with a new resolve to do the right thing, to do better than we have done before, and to once again unite as friends and neighbors. Thanks.

End of Statement

Commissioner Raymond asks if we have answered all of their questions satisfactory. Chris says that there are two that he still has concerns with which are the check reimbursement and the cell phone issue. In Chris' opinion, those two are not satisfactorily resolved. Chris says they did contact the Sheriff directly and they had a meeting setup, but it was cancelled because of a death in the family.

The Commissioners deliberate. Commissioner Hegsted states he is totally satisfied with what we have researched out and is not in favor of moving forward with an investigation. Commissioner Raymond says we did raise our hand and take an oath to uphold the constitution. Commissioner Raymond says that he studied the constitution and he found the right to a speedy trial, due process, trial by jury, and legal counsel. Commissioner Raymond states striking, a person is innocent until guilty and a person has the right to face their accuser. Commissioner Raymond explains that he had to really work hard to wash the emotion amount. Commissioner Raymond says he feels we have done everything possible to wash out the intricacies. Commissioner Raymond stands with Commissioner Hegsted and does not want to spend county funds on a forensic audit. Chris asks if he can ask a question. Chris asks what about the years worth of misuse. Chairman Karren says she agrees with Kliff Bramwell's letter. She is not sure it was misuse, who better to know where the Sheriff is then his wife. Commissioner Raymond says if you take the allegation to the letter of the law how far are you going to go with this. Commissioner Raymond asks if we are going to criminalize deputies who make a phone call to their wives to let them know they will be late for dinner. Commissioner Raymond says we can argue about this all day long. When the issue came to the Commissioners, the Commissioners took it as a personnel issue and addressed it. Chairman Karren agrees with the other two commissioners and appreciates the work that has gone in to it. Chairman Karren does not think a further investigation is necessary.

EASTERN IDAHO PUBLIC HEALTH – TERESA STUCKI

• YEAR END REPORT

Geri Rackow says the Mud Lake building, building has been painted, carpeted, and furniture has been replaced. There are still a few things that need to be done. They are ready to move forth with the staining. Geri mentions a strip of shingles is missing from the wind storm. Chris says we would need an estimate to make a decision. Geri would like to install railings for safety reasons in the front and back. Geri mentions the signage and asks if it would be okay to replace the panels on the freestanding sign. The commissioners agree. Veena Sohal says her staff is so happy with the improvements. Vena thanks everyone. Veena discusses WIC. In Jefferson County, they serve 800 clients. Kellye Eager is with Raymond Keating. Raymond says that he's

had 60 septic permits this year in Jefferson County. P & Z approval numbers aren't on the report. Kellye mentions that on September 13th there will be a Solid Waste Committee Meeting, education and information on recycling at the Idaho Falls Office from 11:30 am – 2:00 pm. Amy discusses that a baby died of pertussis in June. She explains the campaign for pertussis and mentions that if we have any uninsured they were able to get a vaccine inexpensive for about \$20 for uninsured. Tamara Cox mentions they do public health preparedness, healthy lifestyles and the staff is situated in the Idaho Falls office. Epi investigations are really slow. Some fears of West Nile. 1 mosquito pool in Blackfoot. Tammy says haven't tested here, but we assume it is here. Tammy explains that some of the mosquito districts have grants that test. Commissioner Raymond mentions that he believes our mosquito districts have been testing.

CARLOS APONTE

• INSURANCE RENEWAL

Carlos provides a Cobra check and a PBM rebate which come in every quarter. On January 1st, with the healthcare reform contraceptives will be covered at 100% which will be a planned document change and he will need a signature. The flex account will be limited to \$2,500 next year. Right now we are at \$2,000. There are a bunch of things that we have to report to the IRS now and Carlos will sit down with the Clerk and discuss them. Carlos shows a spreadsheet with a -3% off the insurance rates for next year which is a savings of \$68,000. Carlos says his recommendation is you leave what you are funding the same and the \$68,000 goes to the fund. Chris mentions that you could pay premium holidays out of the VEBA for the county portion only if you needed it and you have to wait until March. In January, we had 115 employees and we are now at 118, \$122, 800 pay out for HRA. \$57,000 has been paid so far. \$547,000 is cash in the Veba. \$278,000 is tied to deductible out of pocket. We need to start funding for retirees for their HRA. Carlos says we can cut the HRA at anytime. Carlos explains that he needs a decision on the flex today.

Motion by Commissioner Raymond to raise the flex amount from \$2,000 to \$2,500. Second by Commissioner Hegsted. Roll call taken. Raymond – aye. Hegsted – aye. Karren – aye. Motion passed unanimously.

Carlos wants to know if it would be okay to do the same wellness program as last year. \$65 one time fee with the testing the same price as last year.

Motion by Chairman Karren to use SOAR option 1 for the wellness tests. Second by Commissioner Raymond. Roll call taken. Raymond – aye. Hegsted – aye. Karren – aye. Motion passed unanimously.

Carlos mentions the consult-a-doc program. They have just added consult-a-doc over the phone, skype, and facebook. It would be \$7.50 per employee and it counts for every employee and their dependents. If you get one employee to use it one time a year, the plan pays for itself. Carlos says the primary physician is attached to consult-a-doc and it is carried through. Carlos thinks it's a good deal and will provide an opportunity to save money. \$850 a month for all employees. Commissioner Hegsted asks to see demographics. \$55,000 a year we spent on doctor visits that consult-a-doc could have helped. Add consult-a-doc to an upcoming agenda.

CLERK - CHRISTINE BOULTER

• 2013 BUDGET REVIEW

Chris distributes the 2013 budget. Chris mentions that we will be moving \$500,000 from PILT to Road and Bridge on 9/30/2012, moving \$475,000 from solid waste to debt service, PILT to crime defense reserve 10, transfer \$150,000 from permit trust to District Court, and transferring \$150,000 from PILT to District Court. There will be \$30,000 contingent on a grant for the fair and \$150,000 contingent on a grant for Parks and Recreation. Robin will research if solid waste fees can go into the general. Chris says you need to cut \$189,848 or find revenue. Robin asks is it possible to set the budget and freeze expenditures at the end of the year if no money is found. Chris asks for a decision to be made on the compliance officer. The commissioners agree to leave the compliance officer in the budget, but only if it is funded by a grant. Commissioner Raymond asks if cutting departments by 1.5 percent gets us out of our debt. Discussion tabled till end of the day to meet with Paul, Robin, and Jason.

COMMISSIONERS

• COMMISSIONER MEETING MINUTES

Motion by Commissioner Raymond to approve the minutes of August 13, 2012. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

• CLAIMS

Motion by Commissioner Raymond to approve the claims dated August 13, 2012 through August 24, 2012 to total \$186,959.07. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

PAUL BUTIKOFER – ROBIN DUNN – JASON RAMMELL

• PUBLIC DEFENDER CONTRACT

The commissioners review the public defender contract. Paul explains that they do the public defending for people who can not afford a real lawyer. People have to fill out an application and if the Judge finds that they are indigent then one is appointed per the Constitution in a criminal case. Jason says that there may be times when Paul has defended someone on a prior case, but is now a victim, and there would be a conflict. Jason says if someone can be found in contempt that triggers the appointment of an attorney in child protection cases and contempt cases. Jason mentions that his contract specifically says child protection cases, magistrate and district court appeals. Jason says there maybe a little bit of disconnect because the court may feel that they need to appoint an attorney in some cases that aren't a public defenders duty. Commissioner Raymond asks if the county didn't provide an attorney who would? Paul says Legal Aide. Jason says he thinks the Bar would hope they would do the work pro bono. Commissioner Raymond mentions that we recently had an Upper Valley Governing Board meeting and Judge Shinderling and Burt Butler expressed great concern that our attorneys are not staying in the loop with the problem solving courts. They want the attorneys in on the staffing. Commissioner Raymond says that he can see what they are saying about the conflict, but they are having a lot of success in the problem solving courts. The commissioners ask would they have a problem with adding involvement in problem solving courts. Robin will research how much time it will take to participate with the problem solving courts. Paul mentions that the Judge approves if there is a

conflict. The commissioners request the contract to be edited to provide a sixty day termination notice and to add a clause that specialty courts will be added by an addendum.

ATTORNEY – ROBIN DUNN

• **EXECUTIVE SESSION 67-2345(F)**

Motion by Commissioner Raymond to go into executive session at 5:39 p.m. pursuant to Idaho Code 67-2345(F). Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

Moved back into open session at 5:46 p.m.

Discussion had on pending litigation.

Discussion continued on the budget:

The Commissioners decide to make a 2% cut on the Justice Fund, Road & Bridge, Weeds, Indigent, and General. Commissioner Raymond says he does know what needs to be done to get out of debt. Chairman Karren mentions that the auditor says are debt ratio is too high. Commissioner Raymond says what would it do if we got rid of the two leases. Commissioner Raymond says if we would eliminate the two leases would we be paying off debt. Robin says yes we would be eliminating debt. Commissioner Raymond says if we would eliminate the two graders, we would be increasing cash. Commissioner Raymond mentions the 2% is a band aid. Robin says his goal for the county is for reduction of debt. The commissioners discuss the school traffic signal. Jim Boulter arrives. Commissioner Raymond says that the budget does not look good. Commissioner Raymond mentions that they have been counseled by the auditor to reduce the debt. Commissioner Raymond asks what would happen if we turn back the two leases. Jim says we would save about \$80,000. Commissioner Raymond asks could we manage with having fewer graders. Jim says sure they could do that. Commissioner Raymond asks how that would affect the department. Commissioner Raymond says cutting the budget 2% is just a band aid. Commissioner Raymond asks what would happen if we eliminate the graders permanently and eliminate the debt. Jim says the one Jeremy runs on the Montevue side and if they got rid of it, Jeremy would run the Volvo. Jim mentions he's on the other one running it in Osgood helping Bryce. Jim says we can realign again and bring back the trucks. Commissioner Hegsted asks what kind of engines are in the trucks. Jim says C15 engines. Commissioner Raymond asks if we turn them back now, we can't replace them until the life of the lease. Jim says yes, 5 years. Robin says he'd rather do a 2% increase, find a revenue increase, and then decrease debt. Jim says we could use the capital money in future years and pay off the graders instead of making capital purchases. The commissioners agree to paying off the leases with the capital. Commissioner Hegsted asks Jim to look at having contractors for snow removal and all jobs. Jim says that is way beyond his expertise. Commissioner Hegsted says try out the contractors for half of the county. Commissioner Hegsted asks who paints the lines. Jim says Idaho Signs and Traffic. Jim says he will need an analyst to review if it is cost effective. Commissioner Hegsted asks for Jim to get a bid for chip sealing. Jim says he would not want to administrate contractor snow removal in the county. Robin mentions that we have a number of truck drivers out of work that may be willing to work. Commissioner Hegsted says there are some that do. Commissioner Hegsted asks have you ever laid off employees. Jim says we don't

have to fog coat if you don't want to. Jim says if the goal is to get rid of leases, we hold back on capital, and pay the leases off. Commissioner Raymond says its just debt. Commissioner Raymond says if we can pay off the leases and then buy instead of lease in the future he would be for that. Chris mentions that revenue was \$286,000 the first quarter for the Justice Fund, \$299,500 for the second quarter, \$405,000 for the third quarter, and \$338,000 for the fourth quarter. The commissioners approve the 2% and then we need to think long term.

Meeting adjourned at 6:44 pm.

Chairman of the Board

Clerk of the Board

County Clerk