

## **Jefferson County Commissioner Meeting Minutes October 22, 2012**

Meeting called to order at 9:00 am. Those present are Chairman Karren, Jim Boulter, Cody Taylor, Naysha Foster, Mitch Whitmill, Lorie Dye and Christine Boulter. Emily Kramer is Clerk of the board. Debbie Karren gave the Pledge of Allegiance and Emily Kramer gave the prayer.

### **Elected Officials – Department Heads**

- **Staff Meeting**

Lorie Dye mentions that she has a couple of articles submitted for review. Lorie has answered 243 phone calls on food safety. Kristine Lund arrives. Lorie would like to offer a course on how to handle wild game. Lorie has tested 116 pressure gauges. Lorie has taught 1,500 people in food safety classes. Sheriff Olsen arrives. Mitch discusses looking for another trailer. Jim mentions that we need to move county vehicles from the parking lot because of snow season. Jim would like the vehicles moved to a front corner. Jim says he has a parking plan for the commissioners to review. The Sheriff mentioned he just purchased two radar signs that are solar powered. The Sheriff needs to work with Jim on installing posts around the county in order to locate these signs that were purchased through the highway safety grant. The Sheriff mentioned that the wind blew down some trees. Naysha said FedEx is starting their road. She also mentions that her office is still busy. Kristine says she is very busy and she is still working on the warrants of distraint from the second go around. Kristine reports that she has gotten the approved levies. Kristine mentions that she has an employee who is retiring and she has hired a new employee. Chris mentions she just hired a new employee in courts. She goes on to mention that they are up to 1,000 absentee voters and the State thinks there will be a 78% voter turnout. Chris mentions there is a lot of contention around the State. Chairman Karren asks what everyone wants to do for the holidays. Kristine mentions that she and Cody were talking and they think something needs to be done to increase morale. They suggest having a party since it's better to do something and have people complain versus doing nothing and having them complain. The Sheriff agrees. It is agreed to go ahead with a party.

### **Commissioners**

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

**Motion** by Commissioner Hegsted to go into executive session at 9:35 a.m. pursuant to Idaho Code 67-2345(F). Second by Chairman Karren. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

Moved back into open session at 10:06 a.m.

Discussion had on a threat of litigation.

### **Kerry Hong**

- **Discussion on Probation Ballot Amendment**

Chairman Karren explains that she asked Tammy to schedule someone to provide a general overview on the probation ballot amendment. Kerry Hong is the Misdemeanor Probation Specialist. He splits his time between Idaho Falls and Boise. Kerry said this issue originated from the Criminal Justice Commission. The State Public Defender was analyzing this issue.

Article 10, Section 5 discusses the power of the board of correction. In the 40's, that piece was amended for a nonpartisan board. The Criminal Justice Commission met to craft a recommendation to the Governor. SJR102 proposes to amend the constitution and insert "felony". Kerry says it's a change to restore the status quo. Kerry mentions that there have been a couple of court cases. The issue is on the ballot for the elector to consider. Kerry says if voters don't resolve the issue there may be a court case that arises. Voting for the amendment adds the word "felony" and amends the constitution.

Chairman Karren signs a letter requesting removal of Jefferson County from the name of Rigby-Jefferson County Airport.

### **Dan Roberts**

- **Personal Property Taxes**

Dan apologizes for some of his actions in the last hearing especially towards Kristine. Dan introduces Tom Durant who is his bookkeeper. Dan feels that he was negligent. He says he did not do anything purposively and they made payment on the year prior. Dan was trying to put himself in the position to not have any tax liability. Dan mentions that he was involved in some large profile dealings. Dan says he very seldom reviewed the mail, his secretary and Tom reviewed it. Dan saw the Sheriff's sale notice and called Kristine immediately. Dan mentions the regulatory side for small businesses makes it impossible to abide by it all. Dan had no intention to not pay a tax and does not believe he owes the tax. Dan believes it is a technicality because he missed a deadline. Dan says these receipts prove that someone else owned the equipment and we should have put them on their tax rolls. Dan does not feel he should get off scotch free and is willing to pay the penalties to prosecute this matter. Dan says he has done some research and there is a State Board of Appeal that he can appeal the Commissioners' decision if needed. Dan is not trying to run from anything. Dan did not use any of this equipment in fabricating a product. Tom mentions that the whole purpose was to pay obligations. Tom says when they sold individual pieces the money went directly to the bank. We always had an obligation less than what we owed to the bank. Everything was sold in 2010, starting in June and July. All that was left were hand tools that were sold at auction. Chairman Karren says the question from the last meeting was did Mr. Roberts own any equipment on Jan. 1, 2011. The 2010 taxes were paid August 31, 2011. The checks came through the Sheriff's Department. At the sale of the building in August 2011, there was no equipment present when the inspection was done. Commissioner Raymond asks why they do not know the date of sale. Dan says there are two pieces of property. Someone bought it and they weren't privy to the dates. The bank gave them credit for the buildings on a fair market value assessment. Whatever we owed in addition to this they sued us for. Dan asks does he owe this lien. Dan is currently unemployed, with 10 kids, and he will appeal an unfavorable decision to the State Board of Taxation. Commissioner Raymond says he sympathizes with his situation and the reason we tabled this is to cross reference the bill of sales to make a determination if he owned any equipment in 2011. Commissioner Raymond wants to make a decision based on facts which we don't have here. The Commissioners ask Dan to work with the Treasurer's Office and/or Assessor's Office to cross reference and report back.

**Motion** by Commissioner Raymond to table the decisions on PPA00000192001 and PPA 00000192006 until the bill of sales are cross referenced with the personal property taxes owed. Second by Commissioner Hegsted. Motion passed unanimously.

### **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 11:14 a.m.

**Motion** by Commissioner Raymond to deny #2011-17 for lack of information, to deny #2012-59 for ability to pay, and to deny #2012-69 for ability to pay and nonresident. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

Chris mentions that they received the request to support Shop with the Cop for \$1,500. The Commissioners ask Chris to put it on the agenda.

### **Kelly Hill**

- **Property Tax Reduction**

Kelly is checking on a property tax reduction on a house they built. On October 2011, they tore the house down and at the end of February 2012 they moved in to the new one they built. The Hills did not know to contact anyone about tearing the house down. The Assessor's Office explains that they go out twice a year to check for occupancy. When they went out they seen there was a new home (it looks a lot like the old home) and did not assume that the old house was torn down. Chairman Karren asks if they are asking for a cancellation of the old home for 2012. Yes, using 2011 minus the homeowner's they estimated 2012 will be an estimate of \$570.11. Commissioner Hegsted asks where they were living. The Hills say they rented a building. Commissioner Raymond asks if they are asking for a reduction on the home that did not exist. Yes, the reason for cancellation is because Kelly and Barbara Hill's home was demolished and moved from the property October 2011. A new home was built and will be on the occupancy roll for 2012. They are asking that the value of the demolished house be forgiven for taxes for 2012, where it was not there.

**Motion** by Commissioner Raymond to cancel an estimate of \$570.11 on parcel no. RP04N40E199000 owned by Kelly and Barbara Hill for the upcoming 2012 tax bill because the house was not there. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

**Motion** by Commissioner Hegsted to amend the agenda at 11:54 am to move the Treasurer to 11:55 am because of time available. Second by Commissioner Raymond. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

### **Treasurer – Kristine Lund**

- **Tax Cancellations – Warrants of Restraint**

Kristine mentions that Fife Excavating has been a problem for the 2009 tax. It has been off the rolls for 2010 forward. They owe \$2,500. Kristine says she has talked with Computer Arts and some other Treasurers. Kristine sent an email to Robin Dunn on Friday asking for his legal advice. She'd like to move the money owed on the personal property parcel for 2009 to the real property parcel for 2009. Cody mentions that the Commissioners met with Mr. Fife and he was supposed to be working out a payment plan and Cody took him off for 2010 because he didn't have the equipment.

**Motion** by Commissioner Raymond to move Fife Excavating 2009 personal property parcel on to the real property parcel. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

Kristine asks for a signature on the homeowner's exemption issue approved on October 9, 2012.

Kristine says that Snap Fitness closed its doors the first part of 2012 with the second half of 2011 personal property taxes still due. All the equipment was removed from the premises. The business currently at the same location has nothing to do with Snap Fitness or the previous owners. James and Salliey Swank are not able to be found. Kristine believes this is an uncollectable tax. The Assessor's Office has taken it off the roll for 2012. Kristine is asking for a cancellation of \$630.18.

**Motion** by Commissioner Hegsted to cancel the second half of 2011 personal property tax on PPA0721005014A owned by Snap Fitness in the amount of \$630.18 because it is an uncollectable tax. Second by Commissioner Raymond. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

Kristine explains that the Furniture Doctor closed its doors in 2010. They still owe 2009 and 2010. Kristine tried to reach Blake Brown in Idaho Falls and the mail has been returned. They have been taken off the tax roll for 2011.

**Motion** by Commissioner Raymond to cancel the 2009 personal property tax in the amount of \$28.13 and the 2010 personal property tax in the amount of \$53.25 on PPA0150007003A owned by the Furniture Doctor to total \$81.38 because it is an uncollectable tax. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

Kristine explains that the assets of Digital Bridge Communications business have been sold and the company has ceased operations. Kristine believes this will be an uncollectable tax.

**Motion** by Chairman Karren to cancel the 2012 personal property tax in the amount of \$31.83 on PPP03560000006 owned by Digital Bridge Communications because it is an uncollectable tax. Second by Commissioner Raymond. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

**Motion** by Commissioner Hegsted to amend the agenda at 12:21 pm to move the Assessor's agenda item to 12:22 pm because of time available. Second by Commissioner Raymond. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

### **Assessor – Cody Taylor**

- **Personal Property Estimate of Value**

Cody would like to add the personal property value onto Sereno Events Center and they have not responded. The owner has until November 1<sup>st</sup> to respond. If the owner doesn't, Cody would like to put an estimate on the personal property. The value on the Loft is \$9,279 and she is thinking it should be valued at a least double. Cody is recommending estimating the personal property value at \$20,000.

**Motion** by Commissioner Hegsted to estimate the personal property value of the Sereno Events Center at \$20,000. Second by Commissioner Raymond. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

### **Commissioners**

- **Claims**

**Motion** by Commissioner Raymond to approve the claims dated October 11, 2012 through October 19, 2012 to total \$310,912.66. Second by Chairman Karren. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

- **Commissioner Meeting Minutes**

**Motion** by Commissioner Hegsted to approve the minutes of October 9, 2012. Second by Commissioner Raymond. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

**Motion** by Commissioner Hegsted to approve the minutes of October 18, 2012. Second by Commissioner Raymond. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

### **Emergency Management – Emily Kramer**

- **Signature on EMPG Award**

The commissioners sign the 2012 EMPG Award.

### **Meet with Public Works Director**

- **Lunch & County Road Tour**

Present are Chairman Karren, Mitch Whitmill, Casey Bingham, Jim Boulter, Christine Boulter, Emily Kramer, Commissioner Hegsted and Commissioner Raymond. The tour leaves the courthouse and goes to Heise. The West River Road is taken and Heise Road is looked at which was chip sealed, fog coated, and pavement markings. Lunch is had at Heise Pizza Parlor. The Commissioners buy Casey's lunch in appreciation of all her hard work on researching SWPP Plans. Lunch ends and we get back on the road. Jim tells Commissioner Hegsted that he is going to get information on the camera systems. Jim mentions that the triangle near 4950 E and 100 N may be getting cleared out if they obtain permission. Casey mentions that the railroad has worked on crossings from Blackfoot clear up. Black Stone Estates is driven through which was

recently chip sealed. A stop is made at the Crystal Pit and then County Line Road is taken to Bassett Road. Road & Bridge is planning on chip sealing Loop Road. They are also working on chip sealing to Roberts. Discussion had on sage grouse. Chairman Karren asks how we get more money for roads. Discussion held. The tour returns to the courthouse.

**Meeting adjourned at 4:55 p.m.**

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*Chairman of the Board*

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*Clerk of the Board*

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*County Clerk*