

Jefferson County Commissioner Meeting Minutes December 10, 2012

Meeting called to order at 9:00 am. Those present are Chairman Karren, Commissioner Raymond, and Commissioner Hegsted. Emily Kramer is Clerk of the board. Kerry Lundquist gave the Pledge of Allegiance and Chairman Karren gave the prayer.

Commissioners

- **Flood Control Commissioner Oath – Kerry Lundquist**

Commissioner Raymond swears Kerry Lundquist in as Flood Control Commissioner Division No. 4.

Planning & Zoning – Naysha Foster

- **Red Tags**

Naysha mentions that they are having some problems with the Roundys out in Montevieu. Nasyha sent Guy Roundy a red tagged letter stating that he had to get a permit or demolish it. The structure is still sitting out there because **and** he did not get a permit. They are in a flood plain. **Kamila Roundy** was red tagged. He did get a flood elevation and building permit, but no septic permit. Ray says they have one septic permit for the compound approved from 1981. They met with them. Guy Roundy said that the commissioners exempted him. Naysha pulled the minutes from February 28, 2011. It is in an Ag 40 zone. Naysha reads the minutes. Robin Dunn arrives. Naysha is asking for clarification on the minutes. Ray mentions that they are building without visiting the health department. Ray says once it becomes known to the health department, they have to make it right. The entire complex is going to have to be reviewed **because all the structures are on one property**. The commissioners clarify the motion made on February 28, 2011. Commissioner Raymond said that when he made the motion it was his impression to grant a variance for the structure that was started. Chairman Karren agrees. Commissioner Raymond says that Ray needs to explain that permits are for their protection. Commissioner Raymond asks if they want to do a septic tank without a drain field. Naysha says a tank can be an old refrigerator, etc... Commissioner Raymond says he envisions what is going to happen out there, they have a vacuum tank at their dairy and they will empty it and spread it on the field. Ray says the entire complex is only broke into 2 lots. Ray says the gallon of waste water is cumulative and this will be a mess. Ray says he thinks there are at least seven homes, a church, and a school. The commissioners direct Ray and Naysha to do what they need to do to bring them into compliance and state that they will support their actions. Ray asks for support on Ag buildings. Commissioner Hegsted mentions that Ag buildings don't generally need a septic permit. Naysha says with Ag exemption they are exempt from paying full price for a permit and building to code. Ray would like to see something put in place for checks and balances. Ray would like to be made known when someone comes in for an Ag exemption. The commissioners ask Naysha to inform Ray. Naysha asks the commissioners about setting a time limit for the Roundys to comply. Naysha suggests by the end of the year. Naysha says it's going to take a while to get the flood plain stuff taken care of. Naysha said he **Guy** actually did a LOMAR **to take his home out of the floodplain**. The commissioners agree to go with the end of the year date to require a septic permit.

- **Resolution #2013-03**

Naysha proposes a resolution to destroy the list of temporary political sign permits per the retention schedule.

Motion by Commissioner Hegsted to adopt resolution #2013-02 to destroy the list of temporary political sign permits. Second by Commissioner Raymond. Roll call taken. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

Eduardo Lopez

- **Homeowners Exemption**

Chairman Karren provides introductions. Eduardo explains that he didn't move and when he paid his taxes he noticed that they took his homeowners exemption away. Pat explains that in June 2012 they sent the assessment notice out to the property address in Menan. On June 3rd, the assessment notice was returned to the Assessor's Office. On June 12th, they sent the assessment notice and the homeowner's exemption off letter to the Rigby Address. It was never returned to our office. On November 22nd, we received the tax bill with the change of address to the Menan address. At that time we changed the address back to the Menan address. The Treasurer's Office took care of sending the tax bill to Mr. Lopez. On December 3, 2012, Mrs. Lopez came in to inquire why the taxes were more. Eduardo explains that he received a tax bill with the address correction and that Mrs. Lopez is living at the Rigby address. Cody said they didn't receive the second letter back so they believe it was delivered. Eduardo explains that some of his mail has gone to the Rigby address and she has only given him some of it. He is separated and she has brought mail pieces that she has chosen to deliver. Since 1996, he has resided in Menan. Eduardo is asking for the portion that would have been exempted by the homeowner's exemption on the 2012 taxes to be cancelled. Commissioner Raymond asks why the address change. Pat said when we got the assessment notice returned it said returned to sender because of change of address. Eduardo H said that's his son's name is Eduardo Benjamin which has caused postal confusion since his boy lives in Rigby.

Motion by Commissioner Hegsted to cancel \$688.29 on the 2012 taxes for parcel #RPE00900010010 owned by Eduardo Lopez which is the amount of the homeowner's exemption. Second by Commissioner Raymond. Discussion had. Commissioner Raymond asks Cody what there recommendation is. Cody says they do not have a recommendation, but they assume that the assessment notice was delivered because they did not receive it back. After that we are not sure what happened, if Mr. Lopez received it or not from his wife. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

Weed Department – Mitch Whitmill

- **Update on Equipment Purchase**

Mitch said he was looking at purchasing a Kubota RTV and after Commissioner Hegsted suggested looking at a Bobcat, he did. Mitch says the Bobcat Toolcat is double the money. Mitch is looking for a piece of equipment to be used year around for multiple purposes. The bid on the Bobcat is \$43,000. Mitch says his purchase options are funding a portion out of the general because it will be used for plowing snow at the courthouse, or he could go with a lease purchase, or set money aside this year to purchase next year. Commissioner Hegsted mentions the attachments. Mitch says Road and Bridge already has attachments for a Skid steer and that

Jim said they could use them. Commissioner Raymond asks how many attachments Road and Bridge has. Mitch says they have a broom, snow plow, bucket, and fork attachments. The commissioners discuss that it is not in the Weed budget for this year and so it would be best to purchase next budget year. The commissioners ask Mitch to budget for the purchase next year. Mitch will set aside \$20,000 from this year's budgeted capital to be added to next years for the purchase.

Social Services – Edidt Ramirez

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

Motion by Commissioner Raymond to go into executive session at 10:37 a.m. pursuant to Idaho Code 67-2345(D). Second by Commissioner Hegsted. Roll call taken. Raymond – aye. Hegsted – aye. Karren – aye. Motion passed unanimously.

Moved back into open session at 10:59 a.m.

Motion by Commissioner Hegsted to approve #2013-20, to deny #2013-22 for ability to pay, to table #2013-13, and to deny #2013-14 for lack of information. Second by Commissioner Raymond. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

Lunch

Motion by Commissioner Raymond to amend the agenda at 2:00 pm to sign the noxious weed cost share request for 2013 since it just came in. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

The commissioners sign the 2013 noxious weed cost share request for the continental divide cooperative weed management area.

Commissioners

- **Jail Inspection**

Commissioners conduct a quarterly jail inspection. Commissioners sign a jail medical agreement between Jefferson County and Badger Medical to provide professional medical and mental health services for \$176,000 annually.

GIS – Sherry Lufkin, Eric Smith, Assessor Cody Taylor

- **County Data**

Eric mentions that they talked a lot about this subject at the last meeting, but they still need to discuss sharing with private citizens. Eric says we charge \$100 for parcels with PIN, \$400 one time only, and \$600 full package (annual parcels with assessors attributes). Eric says there is conflicting statutes. The counties that charge are small counties that charge for everything. Eric mentions charging is an administrative burden and on a \$100,000 budget we get 1,000 a year back on parcels. Eric mentions there are two approaches: the charging model and don't charge. Eric says the charging model discourages commerce. By not charging, we will be an open data sharing county to encourage commerce, minimize liability, and reduce subscription management overhead. Sherry says she's concerned with liability since we don't charge boy scouts, who are

working on their eagle projects, but someone from the school district comes in and we charge them. Chairman Karren asks Cody what she thinks. Cody says she feels guilty that we charge and other counties don't.

Motion by Commissioner Raymond to provide electronic GIS data sharing at no charge effective today. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

Clerk – Christine Boulter

- **2013 Calendar of Events**

Chris mentions the midwinter conference is coming up in February 4th – 7th. Jerald and Tad ask for the room on Sunday night to be cancelled. Chris says the Social Service conference is in Coeur-d-Alene April 16th – 18th. Chris mentions there is levy training in May. The IACC meeting in Meridian is June 11th – 13th. The Fall IAC September 23rd – 27th at Boise.

- **County Holidays**

Chris distributes a list of county holidays for 2013 as listed in our personnel policy.

- **Payroll Comp Time**

Chris mentions that our personnel policy says we have a maximum accumulation of forty hours of compensatory time and it says we will pay out in the next pay period. Chris suggests that the commissioners review compensatory time. Jim says for him to solve issues he'd like to add to his policy the wording that you must use compensatory time before using PTO. Chris mentions that making decisions on who can hold comp and who can't needs to be treated the same across the county. Commissioner Raymond asks if our policy prohibits or encourages the use of PTO. Discussion is held that it encourages the use. Commissioner Raymond asks Robin if restricting leave use is legal. Robin thinks we should keep our compensatory time low. Robin says we can change the policy to word that we must use compensatory time before PTO and that would be a legislative decision. Emily asks if we can word that you must use compensatory time before PTO because of the cap on PTO accrual. Robin says that does complicate matters. Commissioner Raymond would like to think on this issue. Commissioner Raymond says that if we have employees who want to abuse the system it could be easily abused. The commissioners decide to talk to department heads and get a commitment of action before changing policy. In the meantime, the commissioners ask Emily to work on a draft policy revision.

- **Residency Certificates**

The commissioners sign residency certificates.

Commissioners

- **Tailgate Meeting**

The commissioners have a discussion on driver safety for an ICRMP discount program.

- **Holiday Gift Certificates**

Motion by Chairman Karren to give a \$25 chamber of commerce gift certificate to employees run through payroll. Second by Commissioner Hegsted. Roll call taken. Karren – aye. Hegsted – aye. Motion passed unanimously.

- **Claims**

Motion by Commissioner Raymond to approve the claims dated November 22, 2012 through December 7, 2012 to total \$239,549.49. Second by Commissioner Raymond. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

Commissioners ask Emily to contact the VFW and to ask them to schedule time on the agenda to provide a report and to request funding support.

Kristine reads the rental agreement between the County and Upper Valley Family Medicine which states 4.1.1 Additional Rent: Waiver of any real property taxes for that portion of the building rented and used by the probation department calculated at \$7,476 per the assessor, David Kinghorn. Kristine says last year we cancelled \$7500 which was 84%. Kristine mentions that Darin from Upper Valley “thought” we were crediting on 75% of property tax. Kristine says crediting a percentage each year would be easier. Robin says he believes it was 75% of the tax. Kristine discusses that 75% of the tax or value will equal out to the same amount. Chris thinks it needs to be a percentage of the value of the building being used. Robin mentions that the first floor which we rent is a large part of the value. Kristine recommends reducing the value by 75% to the owner. The commissioners decide to waive 75% of the taxable market value for the portion of the building rented and used by the probation department. The commissioners ask Emily to write a letter to Upper Valley and to attach the tax bill. Kristine will do the cancellation notice and bring it back for the commissioners’ signature.

- **Commissioner Meeting Minutes**

Motion by Commissioner Raymond to approve the minutes of November 26, 2012. Second by Chairman Karren. Roll call taken. Raymond – aye. Karren – aye. Hegsted abstains since he was not in attendance on November 26th. Motion passed unanimously.

- **Policy Revision**

Motion by Commissioner Hegsted to approve a personnel policy revision adding number fourteen to page ten which provides direction to employees on how to report work-related complaints. Second by Commissioner Raymond. Roll call taken. Karren – aye. Hegsted – aye. Raymond – aye. Motion passed unanimously.

- **3800 East – Hwy 48 Traffic Signal**

The commissioners ask Road and Bridge what the proposed work is for 3800 east and highway 48. Jim says the south side from County line to where the new improvements stop. Commissioner Raymond mentions there was some talk of doing some in kind work. Casey says there is an existing MOU with ITD, the school district and the county. The county will be doing the north leg by widening to create a turn lane. Chairman Karren feels doing the north is a great contribution. Commissioner Hegsted says he thinks we should do the south adding another lane or two lanes with a shoulder on the south side. Casey says ITD has required the school to do the additional lanes. Casey says she believes they have already gone out to bid on the work. The school district asked for assistance in the May 14, 2012 meeting. Commissioner Hegsted would like to participate in the south side. Robin asks if a roundabout could be done. Casey says the traffic light is a requirement by ITD. Commissioner Hegsted asks what the costs of the north lane would be. Jim says he doesn’t have engineering on the north side. Commissioner Hegsted

asks what the cost on the south side is going to be. Jim says he doesn't have a cost analysis and he would have to talk to ITD. Commissioner Hegsted mentions that his conversations with the school have been that we are entertaining helping them on the ground. The commissioners decide to wait for the engineering to come back before making a decision. Commissioner Hegsted asks what we anticipate on the north side. Jim says moving the power pole and adding some pavement. Robin says shouldn't the general be in charge of contacting DOT. The commissioners ask Robin to talk to the superintendent.

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

Motion by Commissioner Raymond to go into executive session at 3:54 pm 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 4:02 p.m.

Motion by Commissioner Raymond to adopt resolution #2013-04 designating IAC as the county's representative to resolve the TracFone issue. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Raymond – aye. Karren – aye. Motion passed unanimously.

The commissioners receive three letters from Eastern Idaho Public Health District. One states that the Circular Butte Landfill Operation Plan dated November 12, 2012 meets the requirements of the Idaho Solid Waste Facilities Act and is approved. The second states that an inspection of the Circular Butte MSW Facility was conducted on November 26, 2012 and the facility appears to be operated in compliance with the Operation Plan and Idaho Code Title 39 Chapter 74. The third states that an inspection of the County Line NMSW Facility was conducted on November 30, 2012 and the facility appears to be operating in compliance with the Operation Plan and IDAPA 58.01.06.

Prosecutor – Robin Dunn

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

Motion by Chairman Karren to go into executive session at 5:01 p.m. pursuant to Idaho Code 67-2345(F). Second by Commissioner Raymond. Roll call taken. Raymond – aye. Karren – aye. Hegsted – aye. Motion passed unanimously.

Moved back into open session at 5:09 p.m.

Discussion held on pending litigation.

Meeting adjourned at 5:12 p.m.

Chairman of the Board

Clerk of the Board

County Clerk