

**Jefferson County Commissioner Meeting Minutes**  
**March 11, 2013**

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

**Parks & Recreation – Emily Kramer**

• **Bathroom Project at Jefferson Lake**

Emily explains that she and Scott visited with an architect on the bathroom project at the lake. The architect estimated that to expand the existing bathroom it would be about \$195,000. The architect recommended that a less expensive option would be to build a new structure which would be about \$100,000. Emily explains that leaves us with three options; to update the bathroom, to expand the bathroom, or to build a new bathroom. Commissioner Hegsted mentions checking into portable dressing rooms. Emily will obtain estimates and get back on the agenda.

Recess at 9:17 a.m.

**Probation – Tammy Adkins**

• **Executive Session 67-2345(B)**

**Motion** by Commissioner Farnsworth to go into executive session at 9:31 am pursuant to Idaho Code 67-2345(B). Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth - aye. Raymond – aye. Motion passed unanimously.

Moved back into open session at 9:44 am.

**Motion** by Commissioner Farnsworth to authorize Tammy Adkins to change an existing job position adding new duties and adjusting two lines under the A budget to fund it effective today. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth - aye. Raymond – aye. Motion passed unanimously.

**Extension Office – Lorie Dye**

• **Storage Building**

Lorie explains that they would really like a storage building for the extension office. They used to use the storage at the hairdresser's garage, but the storage contract expired. Now the propane tanks are being stored in their garages. Mr. Dequ at the high school builds storage units this time of year with the students. A 12x8 is \$1,000 and a 12x12 is \$1,500. Lorie says the 12x8 will not be functional for them because it does not allow for shelving. Lorie would like to get the 12x12 which will allow for shelving. Lorie says they only have \$500 in the capital line. Lorie is asking for money to pay for this. Chris asks if they need a permit. Lorie says she forgot to ask the city about a permit. Lorie will check with them. Chairman Raymond asks if this will be bigger or about the same sizes as what they had in the garage. Lorie says they will have more storage with the 12x12. Lorie is interested in locating the shop on the north side of the extension office. Chairman Raymond asks if there is an option to fund \$1,000 out of another area. Chris says she will have to look in to it. Maybe the building and grounds fund.

**Motion** by Commissioner Hegsted to support \$1,000 for the purchase of a 12x12 storage building for the extension office subject to the clerk researching the building and grounds account and Lorie obtaining a permit if needed from the city. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth - aye. Raymond – aye. Motion passed unanimously.

Robin Dunn arrives.

Recess at 9:53 am.

### **Road & Bridge – Jim Boulter**

- **Crushing Bid Opening**

Jim thanks everyone for coming and explains that the notice of invitation to submit bids was worded approximate tonnage because it will depend on the bid amount per ton and the budget. The bids are for crushing approximately 5,000 Ton 5/8” clean chip material at the Crystal pit and approximately 5,000 tons cinders 5/8” MINUS at the Crystal pit, and meets Jefferson County specifications

Bid 1 - Rhodehouse Construction, received March 8<sup>th</sup> at 9 am, bid bond is in place, amount of chip is \$9.98 per ton to total \$49,900, cinders \$3.76 per ton to total \$18,800, total bid of \$68,700.

Bid 2 - DePatco, received March 11<sup>th</sup> at 9:06 am, bid bond is in place, amount of chip is \$19.89 per ton to total \$99,450, cinders \$7.68 per ton to total \$38,400, total bid of \$137,850.

Bid 3 - Gale Lim, received March 11<sup>th</sup> at 9:20 am, bid bond is in place, amount of chip \$17.50 per ton to total \$87,500, cinders \$9.00 per ton total \$45,000, total bid of \$132,500.

Bid 4 - Brett Price Excavating Inc., received March 11<sup>th</sup> at 9:29 am, bid bond is not legal, amount of chip \$12 per ton to total \$60,000, cinders \$3.00 per ton total to \$15,000, total bid of \$75,000.

**Motion** by Commissioner Hested to accept the crushing bid from Rhodehouse Construction in the amount of \$68,700. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth - aye. Raymond – aye. Motion passed unanimously.

Recess at 10:16 am.

### **Eastern Idaho Public Health – Teresa Stucki, Raymond Keating**

- **Quarterly Report**

Teresa Stucki and Raymond Keating introduce themselves to Commissioner Farnsworth and distribute their quarterly report. Teresa says during the 2<sup>nd</sup> week of January they switched over to the electronic medical filing system. Teresa says on the report under Division of Family Services the first number is for the Rigby office and the second number is for the Mud Lake office. Chairman Raymond asks how many of the septic permits issued are new. Raymond says there are about 90% new and the rest replacement systems. Chairman Raymond asks about day

care inspections. Raymond and Teresa say they are done yearly. Robin asks who does the background checks on day care owners. Raymond says he believes the Health & Welfare Department does. Chairman Raymond asks what RTR stands for. Teresa is unsure, but will check. Discussion held on tuberculosis testing. Teresa says she has not had a positive result. Commissioner Hegsted asks what the fit and fall, oral health, and RTR programs are. Teresa says the fit and fall program is held in the community and BYU physical therapy students instruct the class where bands are used to improve balance. The oral health is through the schools and they do fluoride treatments. A call is made to the Idaho Falls Office to have the RTR program explained. RTR stands for reduce the risk which is a class on establishing healthy relationships.

Recess at 10:50 am.

**Motion** by Commissioner Hegsted to amend the agenda at 11:00 to include an executive session pursuant to Idaho Code 67-2345(F) during the Idaho Code 67-2345(D) because an issue just came up. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth - aye. Raymond – aye. Motion passed unanimously.

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

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

**Motion** by Commissioner Farnsworth to go into executive session at 11:00 am pursuant to Idaho Code 67-2345(D)(F). Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth - aye. Raymond – aye. Motion passed unanimously.

Moved back into open session at 11:40 am.

**Motion** by Commissioner Hegsted to approve #2013-12 based on medical review rate with letter sent to hospital, to deny #2013-30 for ability to pay, to deny #2013-34 for ability to pay, to deny #2013-39 for lack of information, and to deny #2013-40 for lack of information, ability to pay, an nonemergent. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

**Motion** by Commissioner Hegsted on case #CV2013-222 to direct legal counsel to answer the complaint. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth - aye. Raymond – aye. Motion passed unanimously.

### **Lunch**

**Motion** by Commissioner Farnsworth to cancel the resolution #2008-7 agenda item under the commissioners at 2:30 pm. Second by Chairman Raymond. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

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

- **Public Hearing – Zone Text Amendment Re: Trucking Terminals in C-1 Zone**

Naysha explains that the applicant is Heath Treasure and he has requested a zone text amendment. He is requesting the [land use table](#) to include freight, trucking yards, and terminals

in C-1 zones. This is a legislative decision which if approved will change section 3.3.3 (Land Use Table) the zoning ordinance to allow trucking terminals in C-1 Zone. Applicable regulations are section 3.14.0 amendments of the zoning ordinance and chapter 7 of the Comp. plan. On January 3, 2013, the Planning and Zoning Commission postponed the hearing to allow legal counsel time to research the 14<sup>th</sup> Amendment and US and State Constitutions. On February 7, 2013, it was heard again and a motion was made to change the land use table to allow freight and trucking yards or terminals in a C-1 Zone with a conditional use permit. Ed Mortensen quoted Jefferson County Zoning Ordinance section 3.3.13 “Commercial One: Purpose: The intent of the C1 neighborhood business district is to provide smaller scale retail and service activities frequently required by residents on a day to day basis, as well as residential development as a secondary purpose while still maintaining compatibility with adjacent residential land uses. Development scale and pedestrian orientation are important elements of this district”. The CUP will allow the Planning & Zoning to make sure uses are compatible with surrounding land uses. Naysha mentions where the C-1 Zones are located in the county. Chairman Raymond asks if there are any other trucking operations in need of this amendment. Naysha says at this time no. The hearing is open for public comment. No one is present. Public comment period closed. Chairman Raymond mentions that south of town it was brought up that there was some truck traffic there. Will this allow them to come in and get a conditional use permit? Naysha says yes. Naysha mentions for the record that legal counsel found that it was not a violation of the Equal Protection law and the Planning & Zoning Commission recommends approval.

**Motion** by Commissioner Farnsworth to adopt ordinance #2013-02 amending section 3.3.3 of the zoning ordinance to allow freight or trucking terminals in C-1 zones with a conditional use permit. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Recess at 1:13 pm.

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

- **Walters Development Agreement**

Naysha discusses the proposed development agreement that legal counsel drafted between Jefferson County and Walter’s Ready Mix. Naysha discusses the history of the agreement. Naysha mentions that the CUP was heard and denied by the Planning & Zoning Commission, next the BOA heard and placed conditions on it and remanded it back to the Planning & Zoning, and then the Planning and Zoning Commission upheld the BOA conditions and added additional conditions. Conditions included entering into a development agreement, screening around the property, and a water permit from IDWR. Naysha says the conditional use permit was approved. Robin mentions the main thing you want to worry about is cost. Naysha says Exhibit 2 lists all of the conditions set forth. Naysha says the conditions were pretty general and now they are more specific. Commissioner Hegsted asks about extraction. Naysha explains that it is limited to one hundred foot strips and no continuance until completed. Part of the overburden will be used to the farm as a top soil. Commissioner Hegsted asks about mosquito control. Robin asks didn’t we talk about pellets. Naysha says there is no stagnant water since the water will be moving. Commissioner Hegsted asks if they will be mining 100 foot strip and then continuing. Naysha says yes. Commissioner Hegsted asks when this last came before the

board. Naysha says in 2007. Chairman Raymond asks Commissioner Hegsted if he feels comfortable making a decision at this time. Commissioner Hegsted says yes.

**Motion** by Commissioner Hegsted to accept the development agreement between Jefferson County and Walter's Ready Mix. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

An error in the signature block is found in the agreement and Naysha leaves to correct it before the commissioners sign it.

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

- **Glen Schneider Estates – Amended Plat**

Naysha says we approved Glen Schneider Estates back in 2008. We are doing Division 2 and replat or amendment to Division 1 of this administrative plat. Naysha explains that there a couple of lot line adjustments. It is still 4 lots with one lot being shifted to the other side. The developer wants to sell the remaining farm separate from the development. The applicant is Scott Schneider and the property is at 100 N east of 3536 E. The property is in a R5 zone. The lots need to maintain a minimum of 5 acres and three of the 4 do. The proposed amendment will amend lot 3 in division 1 to include additional farm land to the west of said lot which is considered Division 2 because this portion of the farm was not included in the original plat. The purpose is to straighten out the farm boundaries for easier farming activities, and to create a buffer between the farm and existing well located on the property. 4 lots with the exception of the one lot that is a buildable lot. The non-buildable lot will be sold as part of the farm. Chairman Raymond asks if there will be future development on the remaining farm. Naysha says no not at this point. Any future development to this property will require the developer to go through a public hearing with the Planning & Zoning Commission. Kevin explains that the farm is being sold to someone who does not want to develop it. In fact the buyer is buying the farm to prevent it from being developed. Commissioner Hegsted asks about access. Kevin says there will be a new access at 3536 E and an access off of 100 N as on the original plat.

**Motion** by Chairman Raymond to approve the amended plat for Glen Schneider Estates Division 2 and replat of Division 1. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

### **Weed Department – Mitch Whitmill**

- **New Office Computer System**

Mitch is here to ask about purchasing a new computer. Mitch says they got a used computer last year and it has some issues. Computer Arts said in October that the computer only had a couple of months left. Mitch explains that they have no backup computer and he would like to update the system before they start billing. Mitch has the funding in the capital line to purchase the computer. Mitch received a quote from computer arts for a Dell PC with Microsoft Office 2010 Professional to total \$2,109.50. Mitch says if able he could get a couple other quotes. The commissioners ask what we are giving up in order to get this. Mitch says we were going to do a canopy on our wash system, but we have been working without it so they can get along another year. The commissioners ask Mitch to obtain a couple of other bids.

**Motion** by Commissioner Farnsworth to approve a computer purchase not to exceed \$2,109.50. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

### **Sheriff – Blair Olsen**

- **Workplace Violence Training**

The Sheriff mentions that at our last meeting there was a request for workplace violence training. The Sheriff asks how soon they want the training done. The earliest his office could provide it is the last week of March, the first week of April. The Sheriff sat down with his people and they put together about a presentation to last about an hour. The training will cover an active shooter incident, bomb threat, and how to handle aggravated citizens. Along with that there is an online course that covers a lot of this through FEMA that employees could take before they are given this training as a prerequisite. The Sheriff recommends doing one session in the morning and one in the afternoon or one session one day and the other the following day. The Sheriff recommends that the Prosecuting Attorney's Office, Probation, and Courts attend along with Planning and Zoning, the Treasurer's Office, the Assessor's Office, and other office staff so that everyone gains awareness on when to react and when not to overreact. The Sheriff would like to invite his dispatchers so they hear what everyone is being told. Chairman Raymond thinks that sounds good. Chairman Raymond asks how the sessions should be scheduled. The Sheriff says his preference would be one in the morning and one in the afternoon. Chris says if someone is not available, offering it two days would be best. The Sheriff says we could do four different sessions if there is a need. Chris asks if we should involve the Road and Bridge office staff and extension office. Cody thinks the training sounds great. The Sheriff says the training is similar to what they teach school administration. Chairman Raymond says the lighter day for the court office is Friday. Chris says Friday won't work because Road and Bridge is off. Chris says a Thursday and Friday will work. Chairman Raymond asks if March 28<sup>th</sup> at 10:00 am and the 29<sup>th</sup> at 2:00 pm would work. The Sheriff says he thinks it will work, but he will need to double check. Chris asks if it should be a mandatory training. Discussion held that it is not a job essential training so we should highly encourage it, but not make it mandatory. Chairman Raymond says if it is a success he would like to see it done every six months or yearly because of new hires and as a refresher. The Sheriff was thinking as far as policy and retraining that once we go through it, we should sit down and critique it, and then he'd like to establish a policy on the training. Chris asks if he would like to put out a flyer on it or if she should. The Sheriff says Chris can. The commissioners strongly recommend employees attending the training.

### **Commissioners**

- **Credit Card Maximum**

Chairman Raymond says the main emphasis is we want to standardize the credit card maximum for the county credit cards. Chairman Raymond would like to suggest setting a \$1,000 maximum on all county credit cards. The Sheriff has requested a maximum of \$2,500 on his in case of an emergency. The Sheriff would keep this card in his possession. The Sheriff says for the record there has never been an issue with his card being over. Chris says no there has never been a problem.

**Motion** by Commissioner Hegsted to set a maximum credit limit of \$1,000 on all county credit cards except for the Sheriff's card which will have a maximum of \$2,500 in case of emergencies. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Commissioner Hegsted asks Chris if any other elected official needs a higher maximum. Cody says that she has an employee traveling and they went over to Marla and got a check cut. Chris explains that they get a copy of the agenda and allot a certain amount for meals and then they cut a check. The employee has to bring back the receipts and the change. The Sheriff says it's easier for him to budget with expenses charged on credit cards. Chris says if they don't have a receipt, they have to pay. The Sheriff asks the commissioners for a signature on the waterways grant. The commissioners ask Robin to review the waterways grant and they will sign at the next meeting.

- **RC&D 2013 Annual Sponsorship**

RC&D has requested support from the county of \$350 for 2013.

**Motion** by Commissioner Farnsworth to support \$350 for 2013 for High Country RC&D. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

- **Claims**

**Motion** by Commissioner Hegsted to approve the claims dated February 25, 2013 through March 8, 2013 to total \$363,716.31. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

- **Commissioner Meeting Minutes**

**Motion** by Commissioner Farnsworth to approve the minutes of February 25, 2013. Second by Chairman Raymond. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond - aye. Motion passed unanimously.

- **Resolution #2008-7**

Agenda item cancelled.

- **Letter of Support – Center Fire Grant Application**

Commissioners sign a letter of support to Central Fire District for a grant application submitted to the State of Idaho EMS Bureau to purchase a Holmatro spreader for use in motor vehicle accident extrication calls.

Naysha brings back the corrected development agreement between Jefferson County and Walter's Ready Mix and the commissioners sign.

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

**Motion** by Chairman Raymond to go into executive session at 3:02 pm pursuant to Idaho Code 67-2345(B). Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth - aye. Raymond – aye. Motion passed unanimously.

Moved back into open session at 3:37 pm.

Discussion held on personnel issue.

**Motion** by Chairman Raymond to amend the agenda at 3:39 pm to add an executive session pursuant to Idaho Code 67-2345(B)(F) for the Clerk after the Road & Bridge agenda item. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth - aye. Raymond – aye. Motion passed unanimously.

### **Road & Bridge – Jim Boulter**

- **Dead End Road**

Jim distributes a letter that was in the file on 4450 E that gave Road and Bridge permission in 1998 to build a turnaround of 100 feet in diameter for school bus use. Commissioner Farnsworth discusses that he visited with the tenant on keeping the turnaround. The tenant is interested in having the turnaround moved. The tenant mentioned that he may be interested in installing a gate. Commissioner Farnsworth will talk with the tenant and contact Robin to address the issue. Commissioners ask the status on the dead end road, 2900 E Road Right-of-Way obstructions issue. Chairman Raymond mentions that Mrs. Varela requested an extension, but he has not heard back from her on how long she would need.

**Motion** by Commissioner Farnsworth to send a letter to Mr. and Mrs. Varela stating that they have until March 31<sup>st</sup> to remove the obstructions in the right-of-way on 2900 E or the County will remove them on April 1<sup>st</sup> at their expense. Second by Commissioner Hegsted. Motion passed unanimously.

- **Equipment Cost History**

Jim explains that Casey contacted eight solid waste departments in Wyoming, Utah, and Idaho. They told her they purchase equipment outright because leases are too costly. Jim distributes a three year cost history for the compactor and scraper which was requested by the commissioners. The commissioners ask how many total hours are on them. Jim will get the total hours for them. The commissioners express that they like the equipment cost history and would like to see the log kept up.

**Motion** by Commissioner Hegsted to amend the agenda at 3:56 pm to discuss waiving the permit fee for 3800 intersection and highway 48 because the application was received today and they want to start on March 15th. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth - aye. Raymond – aye. Motion passed unanimously.

- **Culvert on 3800 E 300 N**

Jim explains that Mike Rutledge Excavating applied for a permit on March 11 to install a new culvert at 3800 E 300 N to start March 15. Jim is asking the commissioners if they will waive the \$1,500 permit fee for Mike to install a new culvert at 3800 E 300 N for Jefferson School District #251. Chairman Raymond says if they aren't going to put asphalt back the risk to the county is low because we are going to tear that whole stretch up when school is done. Commissioner Hegsted explains that the fee permit was structured to encourage people not to cut

the road and instead bear it. Since the road will be tore up anyhow by Road and Bridge, there is no cost to the county.

**Motion** by Commissioner Hegsted to waive the permit fee for the culvert on 3800 E 300 N because Road and Bridge has to tear up the road when school is out to do our part in the intersection improvements. Second by Commissioner Farnsworth. Chairman Raymond asks who would be responsible for maintenance of the road between now and when we go to tear it up. Jim says we would. Roll call taken. Hegsted – aye. Farnsworth - aye. Raymond – aye. Motion passed unanimously.

Commissioners sign McInttorks' 2013 retail alcoholic beverage license.

**Clerk – Christine Boulter**

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

**Motion** by Commissioner Hegsted to go into executive session at 4:06 pm pursuant to Idaho Code 67-2345(B)(F). Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth - aye. Raymond – aye. Motion passed unanimously.

Moved back into open session at 4:28 pm.

Discussion held on personnel issues.

Recess at 4:28 pm.

**Attorney – Robin Dunn**

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

**Motion** by Commissioner Farnsworth to go into executive session at 4:34 pm pursuant to Idaho Code 67-2345(F). Second by Chairman Raymond. Roll call taken. Hegsted – aye. Farnsworth - aye. Raymond – aye. Motion passed unanimously.

Moved back into open session at 5:17 pm.

Discussion held on pending litigation.

**Meeting adjourned at 5:18 pm.**

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*Chairman of the Board*

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*Clerk of the Board*

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*County Clerk*