

## **Jefferson County Commissioner Meeting Minutes March 25, 2013**

Meeting called to order at 9:11 am. Those present are Commissioner Hegsted, Chairman Raymond, and Commissioner Farnsworth. Emily Kramer is Clerk of the board. Commissioner Hegsted gave the Pledge of Allegiance and Chairman Raymond gave the prayer.

Robin Dunn arrives.

### **Commissioners**

- **Jail Inspection with State Officials**

The commissioners leave to conduct a quarterly jail inspection.

Commissioners and Robin Dunn return.

Commissioner Hegsted and Robin Dunn leave.

### **Commissioners, Elected Officials & Department Heads**

- **Staff Meeting**

Scott Herrick, Jerry Ramirez, Mitch Whitmill, Lorie Dye, Cody Taylor, Tammy Adkins, Commissioner Farnsworth, Kristine Lund, Naysha Foster, and Commissioner Raymond are present. Naysha mentions the city of Menan has their impact area agreement adopted and she will be attending their City Council meeting because they are working on amending their development codes and want the county to adopt the amendments as part of the agreement, the city of Ririe was at the last public hearing and will be back on April 4<sup>th</sup> with their impact area agreement, and Lewisville has started to ask questions about the agreement. Naysha asks when annual employee evaluations should be done. Commissioner Raymond says we haven't addressed that in a while. Sheriff Olsen arrives. Tammy says the evaluations have been very beneficial. Naysha says she'd like to do them annually. Kristine says they are documentation for the files. The commissioners would like employee evaluations done annually on or about the same time each year. Naysha gives recognition to Jeff Geisler for passing his residential exam; he's now a certified residential inspector, and in 6 months he will be taking his commercial. Naysha also recognizes Casey Bingham for all she does. The other Friday which is a normal day off for Road and Bridge she was in the Planning and Zoning office researching ordinances, she also answered her county phone while she was there and Naysha feels like she goes above and beyond. Kristine mentions that her part time employee is leaving and she is accepting applications until March 26<sup>th</sup>. Kristine would like to interview at the end of the week. The Sheriff asks how many hours a week the position is. Kristine says 14 hrs a week and during tax season in June and December they are expected to be here full time. The Sheriff says he will bring an application that he has for her consideration. Kristine is working closely with Barbara on warrant of distrains. Kristine says they are working on about 51 properties. Tammy reports that it is business as usual in the probation office. The district is making some changes on the drug court and coordinators. Tammy just hired for her part time position and she has named a lead over juvenile and a lead over adult. Cody asks about taking care of her fleet of vehicles. She knows she's supposed to go to Ron's for service, but isn't sure on who to contact for repairs since she was told not to go to Road and Bridge. The Sheriff says the county is spending a lot

more money not using Road & Bridge. The Sheriff says he goes to Ron's for service and tires on the 4-wheel drives, Les Schwab for tires on the cars, and Rigby Chevrolet for repairs. The Sheriff says he's been bidding out for repairs and service. Cody asks about having vehicles washed. The Sheriff says for county vehicles when the weather gets nice they have a car wash day in the sally port. The inmates do the washing and a deputy supervises them. Cody asks to be let known about the car wash. The Sheriff says he lets his deputies get car washes in Mud Lake and he has a card at Sudsy. The Sheriff says the county car washes done by the inmates used to be Tuesday, but now they will be on Wednesday. Kristine asks when the cars are serviced do they get washed. Cody says Ron's doesn't wash them. Kristine says maybe we should ask for the vehicles to be washed. Having the cars washed when serviced will be checked into. Cody says they had an individual come in and fill out a public records request form. She has her employees work with the requestors when they are looking for documents and making copies. Cody says the individual wanted to take pictures of the documents and she told him that he couldn't that day, but she would check. Commissioner Raymond says he'd rather have them make copies of public records since that's our policy. Commissioner Farnsworth agrees. Lorie explains that she took a group of 4-H youth to a camp which was great. She spoke at the horticulture symposium this weekend. Lorie says she has two more weeks left of the food preservation class and this Thursday starts the beef weigh-ins. John has been teaching like crazy. Lorie just had an article accepted in a research journal. Lorie mentions she got a building permit for the storage building and the school has started building it. She also mentions that online sign up has started this year for 4-H and Ruth has been great in helping people use the online system. Chairman Raymond asks how many livestock will be weighed in on Thursday. Lorie does not know since it's hard to say with beef. Jerry says they finally finished the Egin-Hamer road. Jerry says they are getting ready for crushing, replacing culverts, filling potholes, and cleaning bridges. Chairman Raymond asks how many operators there are for on the durapatcher. Jerry says there are two. Chairman Raymond says he had a commissioner from Caribou County call him who wants to observe the posishell being operated and to expect a call from him. Scott says he's going to start prepping everything on the roof for the cooling season. Scott takes a minute to mention a book he's reading by Colin Powell and reads passage from it. Scott gives recognition to everyone for the kindness that they show to him as well as the kindness that is shown to citizens. Chairman Raymond says we appreciate you. Mitch says his department has been doing education, recertification, and establishing agreements with state highway and canal companies to provide service that is not available to them by someone else. Mitch has had a few issues with people who want to move their property back and farm. Mitch asks the assessor to have staff have people contact Mitch to make sure they haven't done any noxious weed treatment so people know before they plant. Mitch explains that some treatments take a couple of years before you can plant without ruining crops. The Sheriff says there have been a number of daytime break-ins. They have a suspect and have recovered some of the items. The Sheriff mentions he named Steven Anderson as Chief Deputy, Sam Dye as Jail Captain and Administrative Captain, Lynn Parker as Lieutenant over the Detectives, and he hired Melissa Farmer who will be doing the financial stuff and helping Barbara with civil because of her background. The Sheriff thanks Emily for her help over the winter during the transition. Tammy says she has no place to have meetings and she'd like to have meetings in the commissioners' room, but she has been told she has to pay a fee. Emily mentions that the commissioners' meeting room is free for departments to have meetings. Commissioner

Farnsworth mentions that he went to the RC&D meeting in Nebraska and while there Pam Herdrich thanked Emily for her help on the Mud Lake Fairgrounds grant.

### **Probation – Tammy Adkins**

- **Drug Court Contract**

Tammy mentions that they had a Burn grant for the district to hire a problem solving coordinator which ends March 30<sup>th</sup>. Burt Butler is working on the funding to keep the coordinator under the State's budget. Tammy says they have three months until the state's fiscal year begins and the Supreme Court has approved money to cover the coordinator's salary for the three months. Burt asked for Jefferson County to extend the coordinator's contract for the three months. Tammy will get with Robin on how to extend the contract.

**Motion** by Commissioner Raymond to extend the problem solving coordinator's contract for three months subject to Robin's review. Second by Commissioner Farnsworth. Roll call taken. Raymond – aye. Farnsworth – aye. Motion passed unanimously.

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

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

**Motion** by Commissioner Farnsworth to go into executive session at 11:02 am pursuant to Idaho Code 67-2345(D). Second by Chairman Raymond. Roll call taken. Farnsworth - aye. Raymond – aye. Motion passed unanimously.

Moved back into open session at 11:25 am.

**Motion** by Commissioner Farnsworth to deny #2013-25 for voluntarily unemployed, to deny #2013-33 for lack of information, to deny #2013-38 for lack of information, to deny #2013-41 for lack of information, to deny #2013-42 for lack of information, to deny #2013-43 assets beyond billing value, and to deny #2013-29 for lack of information. Second by Chairman Raymond. Roll call taken. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

### **Lunch**

### **Penny Weymiller Telephonic**

- **Casualty Loss Request**

Ms. Weymiller (via telephone), Cody Taylor, and JaLene Thomas are present. Ms. Weymiller explains that her home is at 23 N 3300 E, Rigby, ID and was destroyed in a fire on January 6, 2013. Ms. Weymiller is requesting a casualty loss exemption for 2013. JaLene says when they heard about the fire in the newspaper, they contacted Ms. Weymiller and told her about the casualty loss exemption. JaLene did the casualty loss calculations per Idaho Code 63-602X. The calculation is the number of days prior to the fire (5 days) divided by 365 and you get a quotient which is multiplied by the market value of home. The 2013 value of the home is \$1,185 and then there is still the land value and outbuilding value. Chairman Raymond asks if she is planning on rebuilding in that same location. Ms. Weymiller hasn't decided if she will rebuild or sell the property. JaLene says it will go on their list to keep a watch on. Ms. Weymiller says they will be demolishing the house in the next six weeks. JaLene says when it is demolished if Ms. Weymiller will let them know so they can do a visual and take it off for 2014.

**Motion** by Commissioner Farnsworth to grant a casualty loss exemption on parcel no. RP04N37E369000 owned by Penny Weymiller which reduces the 2013 value of the home to \$1,185 per Idaho Code 63-602X. Second by Chairman Raymond. Roll call taken. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

**Motion** by Chairman Raymond to amend the agenda and move claims, minutes, and report on assignments from 2:15 pm to 1:13 pm because of time available. Second by Commissioner Farnsworth. Roll call taken. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

### **Commissioners**

- **Claims**

**Motion** by Commissioner Farnsworth to approve the claims dated March 11, 2013 through March 22, 2013 to total \$248,386.10. Second by Chairman Raymond. Roll call taken. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

- **Commissioner Meeting Minutes**

**Motion** by Chairman Raymond to approve the minutes of March 11, 2013. Second by Commissioner Farnsworth. Roll call taken. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

**Motion** by Chairman Raymond to approve the minutes of March 22, 2013. Second by Commissioner Farnsworth. Roll call taken. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

- **Report on Assignments**

Chairman Raymond mentions his conference call on the sage grouse issue was cancelled. Commissioner Farnsworth mentions that he went to the RC&D meeting in Nebraska for training. RC&D paid for his trip. He learned about the organization. On the trip, he told them about the City of Rigby pursuing the Idaho Community Review Program. RC&D was excited about the review and would like to be involved with the process since they can help the city with grants. Chairman Raymond asks for RC&D to be set up with the City of Rigby. Pam talked about the grant for the Mud Lake Rodeo Grounds on the trip and mentioned that Emily was instrumental in getting the \$12,000 grant.

### **Parks & Recreation – Emily Kramer**

- **Estimates on Bathroom Fixtures at Jefferson Lake**

Emily presents the estimates on the bathroom fixtures at the lake. Discussion is held on what projects to tackle before the season opens. Emily suggests installing new partitions, counter tops, sinks, faucets, flush valves, and painting. The commissioners agree. Emily shows a couple of pictures of dressing buildings. The commissioners ask Emily to get a quote on one of them.

**Motion** by Chairman Raymond to install the new partitions, counter tops, sinks, faucets, and paint for both the men's and women's bathroom at the lake not to exceed a total of \$15,000. Second by Commissioner Farnsworth. Roll call taken. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

## **Treasurer – Kristine Lund**

- **MH Cancellations**

Kristine has been working through the warrant of distrains on mobile homes and personal property.

The first issue is the mobile home parcel no. MH05N35E082006 owned by Luis Castillo. The mobile home has been moved out of the county and the Sheriff Deputy noted with unsatisfied return of warrant. There has been no communication. \$82.60 is the amount owed for 2012. \$30 of it is Sheriff and Treasurer fees. Kristine recommends cancelling because she can't find the mobile home or its owners.

**Motion** by Chairman Raymond to cancel 2012 taxes in the amount of \$82.60 on parcel no. MH05N35E082006 owned by Luis Castillo because the mobile home was moved out of county. Second by Commissioner Farnsworth. Roll call taken. Raymond – aye. Farnsworth – aye. Motion passed unanimously.

The second issue is the mobile home parcel no. MH04N39E271004 owned by Brent Layton that was sold in 2012 and moved out of the county. They owed 2009, 2010, and 2011 taxes. Kristine was able to get the purchaser to pay 2009, 2010, and 2011 taxes, but they refused to pay 2012 since it wasn't in the county. Kristine was able to collect \$1,700. It was too late to take it off the rolls in 2012. \$647.47 is the amount owed for 2012. Kristine recommends cancelling because the trailer is out of the county and was out in 2012. Taxes were assessed on a trailer that was not here.

**Motion** by Chairman Raymond to cancel 2012 taxes in the amount of \$647.47 on parcel no. MH04N39E271004 owned by Brent Layton because it was not here in 2012. Second by Commissioner Farnsworth. Roll call taken. Raymond – aye. Farnsworth – aye. Motion passed unanimously.

The third issue is the mobile home parcel no. MHE10200020010 owned by Guadalupe Lopez. The mobile home was moved out of the county and Kristine has no means to collect. \$205.88 is the amount owed for 2011 and 2012; \$80 of it is Sheriff and Treasurer's fees. Kristine recommends cancelling because the trailer was moved out of the county and there has been no communication.

**Motion** by Chairman Raymond to cancel 2011 and 2012 taxes in the amount of \$205.88 on parcel no. MHE10200020010 owned by Guadalupe Lopez because the trailer was moved out of the county. Second by Commissioner Farnsworth. Roll call taken. Raymond – aye. Farnsworth – aye. Motion passed unanimously.

Kristine would like to wait on the personal property tax, \$1300, owed by Snap Fitness which went out of business and the equipment is gone. Kristine is trying to find the owners in Utah. She is going to send a copy of the warrant to their Utah address.

- **RP Tax Deed Discussion**

Kristine mentions last year we took a tax deed on some property out in Terreton at 1511 N 1054 E. Commissioners gave the owner 12 months to redeem. Mr. Read has been trying to sell the property on his own. He is not prepared with the funds to redeem. Kristine says the commissioners have until June 23, 2013 to sell the property and we need to allow the Clerk's office time for public notice. Kristine has put the money out for a lot book. Kristine is recommending selling the property no later than June 23<sup>rd</sup>. The commissioners select May 28<sup>th</sup> at 10:00 am for the sale. Mr. Read will have until April 22<sup>nd</sup> to redeem the property.

Kristine says the only other properties we have hanging out there are the Mountain West lots. They are going through bankruptcy. Kristine talked with legal counsel and she was advised that we can go past the 14 months where the properties are in the bankruptcy proceedings. On April 22<sup>nd</sup>, we will be doing the tax deeds on 2009 delinquent properties.

Recess at 2:10 pm.

### Commissioners

- **MOU for Distribution Point for Liquid Asphalt**

The commissioners sign a MOU between Jefferson County and Teton County and one between Jefferson County and City of St. Anthony for establishing a distribution point for liquid asphalt to be utilized in Air Velocity Patching Machines. This agreement just establishes roles and responsibilities and they are billed on weight. The agreement does not set a period of time or amounts.

**Motion** by Commissioner Farnsworth to accept the MOU between Jefferson County and Teton County for establishing a distribution point for liquid asphalt to be utilized in Air Velocity Patching Machines. Second by Chairman Raymond. Roll call taken. Raymond – aye. Farnsworth – aye. Motion passed unanimously.

**Motion** by Commissioner Farnsworth to accept the MOU between Jefferson County and City of St. Anthony for establishing a distribution point for liquid asphalt to be utilized in Air Velocity Patching Machines. Second by Chairman Raymond. Roll call taken. Raymond – aye. Farnsworth – aye. Motion passed unanimously.

- **Willy Schmidt Request**

Willy Schmidt requested 10 yds of clay from the Circular Butte for a baseball diamond for West Jefferson School. Chairman Raymond asks what we have done in the past with other taxing entities. Didn't we do it at cost for the fairgrounds? Casey says generally we charge \$2 a yd for the material and for delivery. Casey says we would be a minimum of an hour at \$93.90. The commissioners ask Jerry to contact Willy Schmidt for additional information on if he needs it delivered and what it is exactly for. Commissioner Farnsworth asks if we have done this in the past. Commissioner Raymond says yes. Commissioner Farnsworth says we can charge them for the material and delivery of \$113.90. Commissioner Farnsworth asks if this interferes with private industry. Chairman Raymond asks if they can get it anywhere out there. Chairman Raymond asks for Willy Schmidt to be contacted and asked to exhaust all other options before requesting it from the county.

**Motion** by Commissioner Farnsworth to table the Willy Schmidt's request for clay until April 8, 2013. Second by Chairman Raymond. Motion passed unanimously.

- **Waterway Grant Signature**

Robin Dunn is still reviewing.

- **Road Access at 2900 East**

Road and Bridge is asking for clarification on what obstructions need to be removed from the right-of-way on 2900 East. Chairman Raymond says all obstructions that are in the right of way. They ask where they should pile them. The commissioners say off to the side on their property and to remove everything with care. Chairman Raymond asks how the road will be maintained. Casey says we've been instructed to grade it once a year, but for a non-improved road we do not have to maintain it. Chairman Raymond asks about the utility poles. Casey says she feels the unimproved roads are the way they are because of the utility poles. Chairman Raymond asks that we be as respectful to personal property as we are able to. Commissioner Farnsworth mentions that Mr. Sharp mentioned that we could put in a turnaround. Casey will get with the Sharps to get an agreement written up.

- **Bridge at Approximately 266 N 3900 E**

The commissioners ask where the bridge is located. Casey says it's our bridge and in the county, but right at the city limits. Casey explains the inspector called and said the bridge needed to be closed. This bridge was set up for a 2 year inspection rotation. This came up on his regular inspection. Casey mentions the 2011 inspection gave it a 70.7 sufficiency rating and bridge was built in 1975. Casey researched who built the bridge and the county file does not have anything in it. An engineer was out on Tuesday to inspect the bridge and he observed that one of the "concrete "T" beams comprising the deck of the bridge had a large spall on the bottom of the beam exposing the reinforcing steel in the beam...The abutments of the bridge were in fair condition and appeared capable of continued use if the bridge deck is replaced". Chairman Raymond asks if we will need to replace the deck. Casey says yes, the life of the one they are proposing is 75 years. Casey says the estimate does not include the concrete. Casey says it will be higher above the water. We can leave the abutments and replace the deck once the water is in. Casey says we would need the canal company to hold water back a day to bolt the deck in. Casey says we need to put the project out to bid. If we were to do this bridge, it will be 3 to 5 weeks before we can start. Chairman Raymond asks about traffic. Casey says in 2010 there were 3,000 cars per day. Chairman Raymond says when we take the guard rails off will we have to replace the side rails. Casey says the guard rails will bolt on to the metal. Casey mentions that the gas company has a 4 inch line and there is a phone line. Casey has contacted the companies. Casey says we would need two weeks to advertise to obtain bids and they can apply for a LTAC grant for an emergency bridge grant. Chairman Raymond asks if anyone from the city would like to mention something. Mayor Smith says he's concerned with the width because county and city standards are different and this could be a 75 year bridge. Mayor Smith says he'd encourage the commissioners to widen the bridge to 52 ft because it's in the city's impact area. Casey says its 28 ft wide on the outside now. Mayor Smith says he'd hate to see the county spend that money now, but not consider the needs in 10 years. The bridge estimate is 32 ft in between the rails. Casey says our right-of-way is 50 ft. Casey and Jerry feel the steel beam would be the best option. Casey says if you contract out a concrete bridge you are looking at

\$450,000. Casey says we don't have a bridge crew that keeps up on bridges. Casey says we have 78 structures over 20 ft. A lot of them are old. Chairman Raymond asks if Casey can start to work on the emergency grant. Chairman Raymond asks if there is money in the budget. Casey says we have \$52,000 in the Road and Bridge line. Chairman Raymond asks Casey to start working on the grant. A member of the public from Forsgren and Associates asks if it is possible to repair the bridge. Chairman Raymond reads the engineer's report that states "it is our opinion that the structural integrity of the deck is compromised and cannot be repaired but requires replacement". Commissioner Farnsworth asks if we widen the bridge will we be able to use the concrete abutments. Casey and Jerry say they will have to find out. The commissioners ask Casey to move forward on the LTAC grant. Chairman Raymond says he feels it would be only fair to consider widening the bridge and be cognizant of the fact that the water will be in the bridge May 1<sup>st</sup>. The commissioners will readdress the issue on April 8<sup>th</sup> at 10:00 am.

**Motion** by Chairman Raymond to authorize Casey to begin working on the LTAC emergency bridge grant, to obtain a bid for a wider bridge, to work with the utility companies, and to draft a notice of invitation to submit bids. Second by Commissioner Farnsworth. Motion passed unanimously.

Charlie VanLeuven asks about the temporary fix. Chairman Raymond says he'll have to ask Jim. Charlie was instructed to email Emily the Public Information Officer his questions for Jim since Jim is out of the office this week.

- **Bridge at Approximately 550 N 4149 E**

This bridge at 550 N 4149 E was inspected and the inspector found the "the damage has slowed, the abutments still need to be repaired...steps need to be taken to protect the foundation". Casey mentions the deck is in pretty good shape. The deck was put in 1973 with the abutments in the 1920s. Casey mentions that this bridge is not closed. We have the option of jacking the deck and putting new abutments in. Chairman Raymond asks if we will survive the summer. Casey and Jerry say we need to do some protection because the abutments are starting bow. Chairman Raymond asks if there will be more damage if we wait until fall. Casey and Jerry say that water is eating it out so probably. Chairman Raymond asks about using pre-fabs. Casey says she hasn't researched this bridge because she's been working on the other. Chairman Raymond asks if we can apply for the LTAC emergency grant for this bridge. Casey says on erosion that has occurred over years, they won't consider it for emergency funds. Chairman Raymond asks for estimates on fixing this bridge on April 8<sup>th</sup>. Casey says we may not have to go out to bid on this bridge depending on the cost. Commissioner Farnsworth asks if we have anyone that looks at the bridges on a regular basis. Casey says the State looks at them. Casey says she gets the reports and highlights the major issues and places them on Jim's desk. Casey got a quote a couple of years ago for bridge inspections and she thinks it was \$26,000.

Mitch arrives and mentions the Upper Snake CWMA has been awarded \$43,890 of State General Fund monies for the 2013 Cost Share year.

**Motion** by Chairman Raymond to amend the agenda to add the signing of the Upper Snake 2013 CWMA grant at 3:16 pm which just arrived today and needs to be returned before the next

commissioner meeting. Second by Commissioner Farnsworth. Roll call taken. Farnsworth - aye. Raymond – aye. Motion passed unanimously.  
Commissioners sign the Upper Snake CWMA grant for the 2013 Cost Share year.

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

**Motion** by Commissioner Farnsworth to go into executive session at 3:18 pm pursuant to Idaho Code 67-2345(B). Second by Chairman Raymond. Roll call taken. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Moved back into open session at 4:01 pm.

Personnel time recording discussed.

Commissioner Hegsted and Robin Dunn arrive.

**Motion** by Commissioner Farnsworth to go back into executive session at 4:22 pm pursuant to Idaho Code 67-2345(B). Second by Chairman Raymond. Roll call taken. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Moved back into open session at 4:53 pm.

**Motion** by Commissioner Hegsted to send a letter to department heads and elected officials so stating that all salary employees will not accrue compensatory time according to policy. Second by Commissioner Farnsworth. Roll call taken. Farnsworth – aye. Raymond – aye. Hegsted – aye. Motion passed unanimously.

**Attorney – Robin Dunn**

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

**Motion** by Commissioner Hegsted to go into executive session at 4:55 pm pursuant to Idaho Code 67-2345(F). Second by Commissioner Farnsworth. Roll call taken. Farnsworth – aye. Raymond – aye. Hegsted – aye. Motion passed unanimously.

Discussion of policy within law enforcement.

**Motion** by Commissioner Farnsworth for the outstanding balance of the total sum of \$75,000 with forgiveness of some interest shall be paid in the next three months from prisoner inmate income. Second by Commissioner Hegsted. Roll call taken. Farnsworth – aye. Raymond – aye. Hegsted – aye. Motion passed unanimously.

**Motion** by Commissioner Hegsted to adjourn at 5:09 pm. Second by Commissioner Farnsworth. Roll call taken. Farnsworth – aye. Raymond – aye. Hegsted – aye. Motion passed unanimously.

Meeting adjourned at 5:09 pm.

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*Chairman of the Board*

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*Clerk of the Board*

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*County Clerk*