

## **Jefferson County Commissioner Meeting Minutes July 8, 2013**

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

### **Commissioners**

- **Amended 2013 Budget Hearing**

Emily mentions that we published the amended budget in the Jefferson Star on June 26<sup>th</sup> and July 3<sup>rd</sup> because we received two grants during the year not foreseen. Road and Bridge received an emergency bridge grant of \$100,000 to be paid out of the special road and bridge fund and the Sheriff's Office received \$22,000 to come out of the Sheriff's Highway Safety Grant. Then there was \$8,000 of civil defense grant money that needs to be spent this year because the grant deadline went from three to one year.

**Motion** by Commissioner Hegsted to adopt Resolution #2013-14 amending the 2013 budget as published. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Robin Dunn arrives at 9:07 am.

**Motion** by Commissioner Farnsworth to amend the agenda at 9:08 am because of time available to move the Commissioners Executive Session 67-2345(B) up. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

### **Commissioners**

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

**Motion** by Commissioner Hegsted to go into executive session at 9:09 am pursuant to Idaho Code 67-2345(B). Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Moved into regular session at 9:43 am.

**Motion** by Commissioner Farnsworth to go from 2008 to present to make sure the money goes to the proper fund from scrap metal and surplus equipment. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

**Motion** by Commissioner Hegsted to seek input from other elected officials and department heads at the next staff meeting to ascertain from them additional training that they and their departments may need in regards to county protocol and any other issues to include the proper protocol to dispose of county equipment. Second by Commissioner Farnsworth. Motion passed unanimously.

Robin leaves at 9:57 am.

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

- **Vendor Proposal**

Emily received a proposal from the Magic Bus who is asking permission to sell ice cream at the lake. She is proposing to pay a fee of 10% of her sales at the lake. Emily mentions we have a hot dog vendor and a snocone vendor and the ice cream truck won't compete with them. Emily recommends approving the Magic Bus.

**Motion** by Commissioner Hegsted to authorize the Magic Bus owned by Fraun Petersen to be a vendor at the lake during the 2013 season. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Recess at 9:54 am.

## **Rigby Senior Citizens – Wayne & Liz Pennell**

- **Request for 2014 Funds**

Liz mentions that she is here to request money for the 2014 budget year. Liz mentions on the grant they are hopeful that the bids go out this week for the improvements. Chairman Raymond asks who will review the bids. Liz says the development company in Rexburg will review them and then meet with Wayne and Liz. The Rigby Senior Citizens Board will approve the bids. Chairman Raymond asks what dollar amount they are requesting. Amanda says in the past it has been \$2,000. Amanda says more would be fabulous and they are very grateful for the money the county put up for the grant they received for improvements. Amanda mentions that they lost a lot of funding from the meals on wheels program because they lost some clients. Robin arrives at 10:06 am. Chairman Raymond asks if he understands that with more meals they provide the more they cost. Amanda says right. Amanda says the more the driver delivers the more mileage goes on the van. EICAP does just \$2.50 per meal regardless of how many they do. Robin leaves at 10:08 am. Amanda says we get the free food from the food bank, but in return we can't charge for that. Commissioner Hegsted asks if we contributed \$2,000 in 2013. Amanda says no. Commissioner Hegsted says he thinks we funded \$2,000 in 2012. Amanda says yes the county did. Liz says they were new and they didn't understand that they had to come in and request the funds. Commissioner Hegsted asks how many county people come to the Rigby Senior Citizens. Amanda says she is able to gather the numbers. Amanda says there are 37 individuals. The first 8 are city and the majority our county. Commissioner Hegsted asks Amanda to send a demographic report and a 2013 income and expense to date to the commissioners. Amanda asks if they would want that for just the meals on wheels or everything. Commissioner Hegsted says everything. Chairman Raymond says we have included your request in the preliminary budget.

## **Boy Scout Troop #464 – Jared Bingham**

- **Bike Paths**

Kyle Davie are doing our citizenship in the community and we have to talk to the government. Last year we did the cycling merit badge and most of the time we were riding on gravel. The only bike path they saw was the one between Westmark and Rigby Lake. We are here to request that Jefferson County put in more bike paths. Chairman Raymond asks who they think would benefit. Chairman Raymond says do you think anyone who rides a bike would benefit. They say yes and with better conditions they may ride more frequently. A boy scout asks how big of

an impact on the budget it would be if there are more bike paths. Chairman Raymond says it would make an impact, but we would have to get bids to determine the impact. Commissioner Hegsted asks from where to where would they like a bike path. The boy scout answers that they used the old Yellowstone highway a lot. Chairman Raymond asks if there was a lot of car traffic on old Yellowstone highway. He says not a lot, but they did their biking in the evenings. Chairman Raymond mentions we have been adjusting the speed limit to make it safer. Chairman Raymond asks if the only bike path they found was from Westmark to Rigby Lake. Commissioner Farnsworth says he would like a map of where they would like the bike path put so we can determine how many miles to go out to bid. Chairman Raymond says it would be helpful to show the county and city limits on the map. Commissioner Farnsworth says if part of it is in the city and part in the county we could work with the city on it. Chairman Raymond mentions that they could work with Eric in GIS on the map.

### **Assessor – Cody Taylor**

- **Personal Property**

Cody says the Buly Barn Shedd's is a closed business and she didn't realize that it did close before January 1<sup>st</sup> of this year. The owner is deceased. Cody had sent a declaration in January, but did not get any response. Cody sent an assessment in June and she found out it closed. So it went on the rolls. Cody needs permission to remove this business from the rolls.

**Motion** by Commissioner Hegsted to remove from the personal property roll #PPL4N39E082004 due to the business being no longer in business. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Recess at 10:32 am.

### **Elections – Shonna Allred**

- **Resolution #2013-15**

Shonna mentions that she has a filing cabinet that has election results in it that can be destroyed. Shonna is requesting to destroy these files from 1980 – 2002 and they haven't used it since they moved here. Shonna also mentions she had a 1997 groundwater district election file out in the Montevue area and she would like to destroy it. Shonna brings the file into the commissioners to review it. Chairman Raymond asks Shonna to check with Water Resources to see if they have a copy and to determine what it would take to scan it. Chairman Raymond says he thinks we need to hold on to the groundwater district election file. Chairman Raymond asks if the other files are beyond the retention period. Shonna says yes. Commissioner Hegsted asks if they eliminated ten years how much storage would that give her. Shonna says it would give her at least one drawer. Commissioner Hegsted asks what it is. Shonna says the paperwork is who filed for ballot and who we paid. Shonna is recommending destroying 1980 – 2002. Shonna says we only have to keep the last five years.

**Motion** by Commissioner Hegsted to adopt resolution #2013-15 to destroy election files from 1980 – 2002. Second by Commissioner Farnsworth. Motion passed unanimously.

### **Commissioners**

- **Minutes**

**Motion** by Commissioner Hegsted to approve the minutes of June 24, 2013. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Recess at 10:53 am.

**Social Services – Christine Boulter**

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

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

Robin arrives at 11:02 am.

Moved back into open session at 11:05 am.

**Motion** by Commissioner Hegsted to deny #2013-59 on lack of cooperation, to deny #2013-60 on lack of cooperation, and to deny #2013-68 for non medical necessity based on the medical review. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

**Motion** by Commissioner Hegsted to adjourn for lunch at 11:08 am. Second by Commissioner Farnsworth. Motion passed unanimously.

**Lunch**

**Andi Elliot**

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

**Motion** by Commissioner Farnsworth to go into executive session at 1:00 pm pursuant to Idaho Code 67-2345(B). Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Reference to Code 67-2345(B) was repeated per Ms. Elliot's request.

Moved back into open session at 1:31 pm.

Discussion held on a personnel issue.

**Bruce Drewes – Laila Kral – Idaho T2 Center**

- **Presentation of Road Scholar Awards**

Bruce Drewes discusses the Idaho T2 program. Robin leaves at 1:36 pm. Bruce explains that the Road Scholar program is nationally recognized. There are fifty-eight centers and the Road Scholar program is a way to provide recognition to individuals who have taken the effort to develop their skills in transportation. Bruce mentions that they needed to provide training in all the aspects of transportation. Thus the training was developed for those individuals who have an

interest in improving their knowledge and skills. The Road Scholar program is an entry level program and a training of about ninety hours. It's a commitment from the county and the individual. The individuals need to be actively involved. The Road Master program is the next level of training for those individuals who are in the supervisory role or looking to move up to the supervisory role. Classes offered teach them how to take a look at their materials and make the best use of them. Bruce explains that some of counties highest costs are not only employee cost, but asphalt, equipment, etc... The Road Scholar program provides three different rewards, a hat, a Leatherman knife, and a certificate. Bruce says they feel very strongly about recognition. Chairman Raymond asks if this is the first Road Scholar awards for Jefferson County. Bruce says yes. Commissioner Hegsted asks if this is the first time any employees from Jefferson County have graduated. Bruce says yes. Bruce says there were some early problems with the program. Right now they have two hundred Road Scholars and sixty eight Road Masters throughout the state. Bruce explains that employees are allowed four years to finish the program. Bruce introduces Laila Kral who is replacing Bruce Drewes when he retires in August. The commissioners appreciate working with Laila on the emergency bridge grant. Bruce recognized Omar Llamas, Casey Bingham, Jim Boulter (not present), and Mel Leavitt (not present) for successfully completing the Road Scholar program.

Recess at 1:57 pm.

### **Sheriff – Blair Olsen**

- **Storage Building**

The Sheriff mentions the last time we met the commissioners asked for an update on a storage building. The diagram handed out is the proposed building which will be 30 by 46. The Sheriff explains that Scott has been working with the person out of Shelley. The Sheriff says \$40,000 to \$45,000 is the ballpark figure for the storage building. The Sheriff mentions there would be plenty of room for boats, dive equipment, and to house Scott's equipment. The Sheriff says we'd have room to store some emergency management equipment. The Sheriff is asking for permission to have the individual draw up the plans so that they can then go out to bid. The proposed building would be insulated with a metal exterior. The Sheriff says this is not quite what he would like to see, but its close enough for what they can afford. They can design it so it will tie in with the building and grounds. The Sheriff says the east end would be designed when they engineer it so that it can be added on in the future. The drawings have to be engineered and it will cost \$400.

**Motion** by Commissioner Hegsted to allow the Sheriff to move forward to obtain a set of drawings for the storage building. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Recess at 2:08 pm. Robin arrives at 2:26 pm.

### **Restore Integrity Project – Bruce Baxter**

- **Prosecutor Office 2014 Budget**

Bruce Baxter reads his statement into the record (statement in exhibit book). Chairman Raymond says that the chair is not going to recognize Ms. Allred's statement. Chairman Raymond says that if she would like to get on the agenda for an executive session she is welcome to do so. Bruce is glad to entertain questions. Chairman Raymond says all questions

will come to the chair. Chairman Raymond says our courthouse is not large enough to house everything that we need to. Chairman Raymond says there are a district court judge and a law clerk coming. Bruce says he's never been behind the lock doors in the Sheriff's Office, but he has been told there is room there. Bruce feels for the most part if it is administrative it should be housed here. Chairman Raymond says he doesn't disagree with him. Chairman Raymond says as far as the suggestion that we have a full time prosecutor, that idea has been considered by the commissioners. Bruce says he thinks that a full time position should be adequately compensated. Bruce says he has been told that other counties have full time prosecutors. Bruce does not know if it's a good idea to have moonlighting. Chairman Raymond says up until present we have been a rural county and we are considering a full time prosecutor. Andi Elliot would like to ask a question. Andi says Chairman Raymond that was a good point, how do we ascertain what is county business and what is Dunn Law office. Chairman Raymond says we set a budget every year. Shelly asks if we have three part time prosecutors does that not equal full time. Chairman Raymond says as we look at the big picture we are looking at that. Shelly asks as far as wages, printers, paper, he's allowed to use whatever? Chairman Raymond says yes. If Mr. Dunn is no longer the county prosecutor where would his office be located? Chairman Raymond says that is a good question. If it were to happen today, we would hope to continue to lease that building. Bruce says people are afraid around here of the black cloud of retaliation. Bruce doubts the commissioners' sincerity. If independent people start investigating, the whole thing is going to be blown wide open. Chairman Raymond says he does not know how to respond to that. Chairman Raymond says he's not hiding anything, he does not know what the black cloud of retaliation is. Bruce asks if the commissioners are willing to investigate how much work is done by Dunn Law Offices that is private and county. Shelly asks the commissioners if they received a letter last fall. Shelly says if you received a letter and did nothing it's criminal. Darwin Dinsdale no name says in the Blackburn case we had some serious questions about Dunn Law Offices. Darwin wants help he feels we are being taken advantage of.

### **Commissioners**

- **Claims**

**Motion** by Commissioner Hegsted to approve the claims dated June 25, 2013 through July 8, 2013 to total \$450,079.07. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

- **Certificates of Residency**

Commissioners sign the certificates of residency.

**Motion** by Commissioner Hegsted to move the BOE to 5:00 pm to align with statute. Second by Commissioner Farnsworth. Motion passed unanimously.

### **Attorney – Robin Dunn**

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

**Motion** by Commissioner Farnsworth to go into executive session at 2:56 pm pursuant to Idaho Code 67-2345(F) for litigation. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Moved into regular session at 3:24 pm. Discussion held on pending litigation.

**Commissioners**

• **Executive Session 67-2345(B)**

**Motion** by Commissioner Hegsted to go into executive session at 3:25 pm pursuant to Idaho Code 67-2345(B) for a personnel issue. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Moved into regular session at 3:48 pm.

**Motion** by Commissioner Hegsted to write up a department head for not timely addressing an incident that happened on the Westside. Second by Commissioner Farnsworth. Motion passed unanimously.

**Motion** by Commissioner Hegsted to write up a department head for not advising or requesting direction for county property. Second by Commissioner Farnsworth. Motion passed unanimously.

Recess at 3:52 pm.

**Commissioners**

• **Executive Session 67-2345(F)**

**Motion** by Commissioner Hegsted to go into executive session at 3:56 pm pursuant to Idaho Code 67-2345(F). Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Moved into regular session at 5:27 pm.

Discussion held on a litigation issue.

**BOE**

**Motion** by Commissioner Hegsted to go into BOE at 5:27 pm. Second by Commissioner Farnsworth. Motion passed unanimously.

Motion by Commissioner Farnsworth to adjourn the BOE at 5:28 pm. Second by Commissioner Hegsted. Motion passed unanimously.

**Motion** by Commissioner Hegsted to adjourn at 5:29 pm. Second by Commissioner Farnsworth. Roll call taken. Farnsworth – aye. Raymond – aye. Hegsted – aye. Motion passed unanimously.

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*Chairman of the Board*

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*Clerk of the Board*

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*County Clerk*