

## **Jefferson County Commissioner Meeting Minutes July 22, 2013**

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

Robin Dunn arrives at 9:02 am.

### **Commissioners, Elected Officials, and Dept. Heads**

- **Staff Meeting**

The Sheriff explains they got things in control last weekend. Most everyone responsible is in custody. They still have a few things to wrap up and there may be a few more arrests. The Sheriff says his deputies worked two to three days on just a couple of hours of sleep, but they pursued it and it was successful. Over the weekend there were Ririe Days and Market Lake Days that his staff worked at. There were very few problems. Scott doesn't have anything yet to report, but he will bring some things up in reference to the building later. Christine Boulter arrives at 9:05 am. Scott mentions two of his boys just came back from Afghanistan. He says that he is very grateful for the freedoms we have and that we are very fortunate. Lorie mentions the fairs are coming up and hands out the schedules. Chairman Raymond asks about a telephone message he received. It will be checked into. Tammy mentions she hired a new person and he is working out well. Naysha says her new employee seems to be doing a good job. Naysha mentions that their new truck arrived and it is nice. Chris mentions that the reason Cody is not here is that she's in training, Kristine is on vacation, and Jim had more oil that came in. Chris says she's working on the budget. Robin mentions that he agrees with what Scott said that we have a lot of freedoms that we take for granted. Robin mentions the things we do are small compared to other parts of the country. Chairman Raymond says he's grateful for the system. Tammy says the Sheriff's Office did a fabulous job. There was no room for anyone to be concerned about their safety. It was handled very professional and quick. The Sheriff says Robin's staff came early and it was a team effort. Commissioner Hegsted says when he read it in the paper he wasn't worried since he knew the Sheriff and Prosecuting Attorney could handle it because of their experience. Then he remembered that the Prosecuting Attorney was on vacation. Commissioner Hegsted says it goes to prove that we can't have one prosecuting attorney. We have to have deputy prosecuting attorneys involved. The Sheriff commends Bonneville County for offering help and says it was greatly appreciated.

- **Report on Assignments**

Commissioner Hegsted had a meeting with 5C and all is well. They asked for a 3% increase from the counties. Commissioner Hegsted says they crunched the numbers and turned them down. There will be no change. Commissioner Hegsted says funds are building and they are trying to rebuild their reserve. Commissioner Hegsted attended a RDA meeting. There is money available for new business loans. Commissioner Farnsworth mentions that RC&D is having a fair in Rexburg on August 22<sup>nd</sup> with a silent auction to raise funds. Commissioner Farnsworth was unable to attend the mental health board meeting. Commissioner Hegsted asks how the shrub cleanup is going. Chris says she has extended the time and we have had a really

good response. Chairman Raymond mentions he had a conference call on sage grouse. There is no way we are going to avoid litigation. One of the alternatives suggested was that we go back and rehabilitate habitat for the sage grouse. Chairman Raymond asked directly how that will affect private property and got no response.

Chairman Raymond mentions as a county we are facing a lot of challenges and he was stopped out on the road by a friend of his and this topic came up. Chairman Raymond reads his statement he prepared. He says he cannot think of anyone else he would want to face these challenges with rather than with everyone in the room. He mentions the elected officials today have the trust and support of the majority of the people. Department heads have the trust and support of those who appointed you, and the continued support of the current leadership of the county. Chairman Raymond says we have a population of 26,000 people and 12,000 registered voters. Chairman Raymond says about 10 days ago he heard the leader of the RIP group on the radio say they have 40 members. Chairman Raymond says he made his own public records request the other day. The group's acclaimed leader is not a registered voter of this county. This group has been generous of their criticism of local government. Even then we should and can keep our chin up. Chairman Raymond says we have been referred to as the good ol' boys of Jefferson County. Chairman Raymond recounts a tragic farm accident where people stepped in and harvested in two to three days. Chairman Raymond says he was born in Jefferson county, will be buried in Jefferson County, and hopes to be worthy to be called a good ol boy. Chairman Raymond mentions that he has been very disappointed in the lack of positive stories in the community paper. Chairman Raymond says that Charlie has challenged us to send him positive stories that are happening in our departments. Chairman Raymond challenges Charlie to get out of the office to see firsthand the good in this county. Chairman Raymond asks everyone to look around; do you see anyone who is perfect? Chairman Raymond says we are all going to make mistakes, avoid the grey areas, do what is right, if you have questions, ask. Chairman Raymond says thanks to everyone. The Sheriff says he has grown up in this county and he's proud of being a good ol' boy too. The Sheriff thanks Chairman Raymond for his words and for all he does. The Sheriff says on Friday, July 12<sup>th</sup> in the Post Register there is a Jewish Proverb. I ask not for a lighter burden but for broader shoulders. Commissioner Hegsted endorses what Chairman Raymond says.

Commissioner Hegsted asks if there is any training that is needed on policies. Chairman Raymond says great idea and asks if there is anything specific from a department head that we should train on. Chris says she thinks training is needed on record and inventory retention. Chairman Raymond says what training we have needs to be had with all department heads. Chris says she thinks the top two or three of every department need to be involved. Tammy says it would be nice for operation policies and for training on how to come up with these policies. Tammy doesn't know what the limits are to get direction on or not to. Tammy says different commissioners have said different things. Chris says she thinks it's a difficult spot to be a commissioner. Chris says maybe written policies would be good. Chairman Raymond says a lot of questions that we have will be found in statutes. Chairman Raymond says we are going to find someone from outside to bring in to provide training. Lorie agrees that our personnel policy is a good place to start, but she feels that some things need to be relooked at. Lorie mentions the not sharing room policy and says that's hard on the budget. Chris says that we were advised not to allow sharing rooms. Commissioner Hegsted says the board has been consistent to Tammy

and he doesn't know what she's referring to. Tammy says she was not complaining about the board, just that it would be helpful if we have training. She mentions she doesn't want to bother the commissioners over a stapler. Chairman Raymond says that being said we need to provide an avenue for department heads to report.

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

- **Trail Bids**

Emily asks to postpone the trail bid review till next meeting because one contractor called with a question, but wasn't able to speak with me because I was out of town.

Chris asks to be excused at 10:02 am.

### **Commissioners**

- **Letter of Explanation**

Chairman Raymond asks for the letter of explanation to be cancelled.

Recess at 10:03 am.

### **Nolan Gneiting**

- **Re-Platting of Morning View Div. #4**

Nolan Gneiting does not show.

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

- **First Amended Plat – Teton Peaks Industrial Park**

Naysha explains that this is the first amended plat for Teton Peaks Industrial Park. The applicant is Laverl Womack and the owner is H & W Development LLC & Westmoreland Company. They are requesting an amended plat. The general location is 4062 E 600 N. The intended use is industrial use. The current land use and zone is light industrial. Total acres 69.64. The amendment is to include larger lot sizes, going from 39 buildable lots to 9 buildable lots, with some revisions for the road layout and phasing as required in the Development Agreement. This is not located in the City of Rigby's impact area and not in a flood plain. The U.S. Army Corps reviewed and Fish and Game. Fish and Game had no concerns. The U.S. Army Corps had one requirement which the applicant full filled. The original plat was recorded in December 2011. The Commissioners entered into a development agreement. Naysha reads the development agreement. Robin arrives at 10:34 am. Commissioner Hegsted asks if we have a cul-de-sac now. Naysha says yes there is a temporary turn around now that is at the end of the road in the first amended plat under phase one. This went before the Planning and Zoning Commission on June 6th. Kevin Thompson presented on behalf of the applicant. He went over the revised layout with the Planning and Zoning Commission. There was no one from the public that spoke in favor. One person, Lance Dabell, spoke neutral and would like to see 600 N widened and improve with the bigger lots bringing bigger trucks. Robin leaves at 10:37 am. No public spoke in opposition. The amended plat fits better with the zoning and surrounding uses. The larger lots accommodate the industrial uses listed on the Land Use Table better. Chairman Raymond asks about their water system. Ray Keating mentions that with the number of employees FedEx has they will be a public water system. Chairman Raymond asks about the copy of minutes that was enclosed from June 17th. Naysha says it was for the road dedication.

**Motion** by Commissioner Hegsted to approve the first amended plat for Teton Peaks Industrial Park. Second by Commissioner Farnsworth. Motion passed unanimously.

- **Revise Setback Requirements for Cul-de-sacs**

Naysha says we have a subdivision which since building has picked up has become a little bit of an issue. It's Auburn Hills subdivision. The lots are .6 acres. An NP2 study was done indicating the number of bed rooms and locations of wells and septic. They put in knuckle cul-de-sacs and dedicated to the County, from the center of the primary lanes of traffic extending to the edge of the county ROW 80 feet. Naysha went out and measured and knuckle cul-de-sacs are paved 65 ft from center point. A gentleman got a building permit and put in a septic and well. The developer did not culvert the ditch as required on the plat and indicated in the minutes. We had to make the person push his house back and then he couldn't meet the setbacks for his septic due to the ditch. Ray Keating mentions they were able to work it out with him. Naysha explains our existing policy setback minimums. In this subdivision this does not work. Naysha is asking for a policy change for any lot size to be 100 ft from center of cul-de-sacs and center of traveling lane for a knuckle cul-de-sac. Naysha says the developer felt like we should be measuring from the center of the knuckle. Naysha says we measure from the center point from the actual traveling lane. Naysha says if you can't meet setbacks they are unbuildable.

**Motion** by Commissioner Farnsworth to change the minimum setback to 100 ft from the center of the point of the lane of traffic for all lot sizes. Second by Commissioner Hegsted. Motion passed unanimously.

**Social Services – Edidt Ramirez**

- **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 Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Robin arrives at 11:02 am. Robin leaves at 11:09 am.

Moved back into open session at 11:18 am.

**Motion** by Commissioner Hegsted to deny #2013-53 on lack of cooperation, to approve #2013-56, to approve #2013-60, to deny #2013-61 because the asset value is beyond billing value, to deny #2013-62 on lack of cooperation, to deny #2013-64 on lack of cooperation, and to deny #2013-65 on lack of cooperation. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

**Motion** by Commissioner Farnsworth to adjourn for lunch at 11:23 am. Second by Commissioner Hegsted. Motion passed unanimously.

**Lunch**

**Commissioners & Clerk**

- **Budget Review – Work Meeting Session**

Chris discusses last year's budget and this year's. Chris says the maximum we can levy is \$5,510,125. Our other funds come from other sources. Chris says right now we need to cut \$25,430 using the same salaries from last year. Chris says we will be okay on the 2014 budget for the junior college tuition, but we will most likely have to levy for the tuition for the 2015 budget. Chris mentions she added money in courts for the murder trial, the PERSI was raised, and FICA. The commissioners would like to meet Friday if revenue information is available.

- **Senior Citizens 2013 Budget**

Chris mentions that we have to fund \$2,000 on October 1<sup>st</sup> to the Rigby Senior Citizens Center since we offered match dollars for the grant they received. Chris presents the claims for 2013 and mentions there is liquor money to fund them this year. Chris mentions she has \$1,500 for Rigby, \$750 for West Jefferson and Ririe for next year. If the commissioners want something different they need to tell her.

**Motion** by Commissioner Hegsted to pay Rigby Senior Center \$2,000, West Jefferson \$1,000, and Ririe \$600 out of the liquor fund for 2013. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

### **Public Works – Jim Boulter**

- **Amending Public Works Policy – Sec. 7.4.8**

Jim is proposing a policy change on the truck driver/equipment operator job description in the Public Works Policy to delete the word “light” in the title, to delete the word “heavy” in the last sentence, and to add “Supervisor” and “hand tools”.

**Motion** by Commissioner Farnsworth to amend the Public Works Policy Sec. 7.4.8 as stated. Second by Commissioner Hegsted. Motion passed unanimously.

Recess at 2:13 pm.

### **Probation – Tammy Adkins**

- **Jefferson County Coordinator Contract – Drug Court**

Tammy mentions the Supreme Court did not come up with the funds to keep the coordinator position. Bonneville County found funds to keep a coordinator position and are interviewing for one. In the meantime, the Supreme Court gave money to carry the coordinator through the end of June. Bonneville County has requested to keep the coordinator through to the end of August. Tammy needs approval to fund the coordinator position through the end of August with Bonneville County's funds. Tammy will invoice Bonneville County to get reimbursed.

**Motion** by Chairman Raymond to fund the coordinator position through the end of August . Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

- **Prosecutor – Public Defender Participation**

Tammy mentions that it is mandatory to have a prosecutor and public defender involved in the staffing and hearing of the problem solving courts (Upper Valley Drug Court and Mental Health

Court). Tammy talked with Robin. Robin thought it would work if the prosecutor and public defender would represent the court in Madison County and if our prosecutor and public defender would represent the court here. Robin arrives at 2:38. Paul Butikofer arrives at 2:38 am. Chairman Raymond mentions that he's fine with Paul and Robin taking care of the courts here. Chairman Raymond says Judge Mueller was concerned with the professional relationship. Tammy feels like we do the juvenile piece here and Madison County deal with the adult piece. Tammy says Prosecutor Davis voiced a concern about that they are not their clients and they would be representing them. Robin says they are worried about not knowing anything about a client. Robin says we are speaking generically for the prosecution or defense. We are not speaking individually for each person in there. Robin says the issue is individual versus collective. Tammy asks Robin to work with the judges and come up with an agreement. Robin agrees. Paul discusses the change in legislation public defender and is getting assigned a 1/3 more cases.

- **Quarterly Report**

Tammy distributes her quarterly report. Tammy mentions a decision was made to dissolve the Upper Valley Juvenile Drug Court. Jefferson was going down to Bonneville County, but it's time consuming, and Tammy asked that it be brought back to Jefferson County. However, that didn't happen and it was dissolved. Tammy is looking to do our own program here. Tammy applied for a Mini grant for computer based equipment Department of Juvenile Corrections and it was approved. She's going to purchase a network scanner and a color printer and two mini tablets. Our match is \$180. Commissioner Hegsted says that 5C recognizes that Jefferson County does the best in collecting. Commissioner Hegsted commends Tammy and her staff on their collections.

### **Penny Palmer – Mountain States Monitoring**

- **Ankle Bracelet Monitoring**

Penny Palmer and Lynn Dickerson present the ankle bracelet monitoring. Penny discusses the ankle bracelet monitoring system. She demonstrates the use of an ankle bracelet. Penny says they communicate only with the probation officers. Penny asks Lynn to discuss the financing. Lynn says they list when they put the ankle bracelet on and when they take it off. Lynn says they have it set up so they have an insurance policy. They just bill us for the installation and daily fees and we collect that from the probationers. Robin asks what the insurance is for. Tammy says these units cost \$2,000 and the insurance covers the cost of the units if they are cut off. Tammy says for two weeks it is \$190. Tammy says we make the family pay \$35 up front for the insurance. Lynn says if they wear it for longer than two weeks it's just the \$10 a day, the \$50 is a one time cost. Penny and Lynn say they monitor 24/7. Lynn says we bill insurance up front or for those who can afford it can be billed for everything up front.

Recess at 3:18 pm.

### **Shelly Allred**

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

**Motion** by Commissioner Hegsted to go into executive session at 3:30 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 4:27 pm.

Discussion held on a personnel issue.

### **Commissioners**

- **Claims**

**Motion** by Commissioner Farnsworth to approve the claims dated July 8, 2013 through July 22, 2013 to total \$271,843.55. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

- **Minutes**

**Motion** by Commissioner Hegsted to approve the minutes of July 8, 2013 with a few corrections. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

- **Discussion – American Lands Council**

The commissioners decide to wait until we see how the budget is before we commit to funding. They requested \$5,000.

- **Sheriff MOU Signature**

Sheriff arrives to obtain signatures on the Tri County MOU and for it to be notarized. Prosecutor Dunn will review as well and sign off on.

- **Sheriff Report on Storage Facility**

The Sheriff deferred to Scott Herrick. Scott mentions that design engineer came to look at site. We should be able to put on south side and not encroach on the drain. If we choose to add on in the future it would be ok to do so. Once they get the drawing from the engineer, Sheriff, Scott and P&Z will chat. They will get back on the agenda on August 12, 2013.

- **Idaho Federal Surplus Property Renewing Application Form**

Commissioners sign the Idaho Federal Surplus Program renewal application.

- **Community Choices for Idaho Notice of Intent**

Emily mentions the Community Choices for Idaho Notice of Intent that she, Naysha, and Eric worked on. The proposal is to construct a trail on the north side of Highway 48 from 3700 E to 4100 E. An onsite meeting will be had in the next couple of weeks. The final application is due September 3<sup>rd</sup>.

### **Attorney – Robin Dunn**

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

**Motion** by Commissioner Farnsworth to go into executive session at 5:02 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 5:17 pm.

Discussion held on pending litigation.

**Commissioners**

• **Title 31 – Chapter 8**

Chris contacted Farrell asking about Idaho Code Section 31-829 regarding replacement of personal property and Farrell replied via email. The commissioners read his statement. Robin will do some research and offer an opinion to the commissioners.

**Commissioners**

• **Executive Session 67-2345(B)**

**Motion** by Commissioner Farnsworth to go into executive session at 5:23 pm pursuant to Idaho Code 67-2345(B) for a personnel issue. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Moved into regular session at 5:40 pm.

Discussion held on personnel issues.

**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*