

## **Jefferson County Commissioner Meeting Minutes August 12, 2013**

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

### **Commissioners**

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

**Motion** by Commissioner Hegsted to go into executive session at 9:00 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 back into open session at 9:06 am.  
Drug policy was reviewed.

Robin leaves at 9:07 am.

### **Public Works – Jim Boulter**

- **Update on Monitoring Wells**

Bryce Contor from Rocky Mountain Environmental is present. Jim says Bart went out to look for areas and Rocky Mountain came out. The locations were submitted to DEQ and DEQ has approved the locations for the new wells. We are waiting for the permits to drill. We are on the drilling schedule. Bryce says before DEQ wanted 3 wells and now they want 2 wells. Jim says hopefully we will be drilling during the next budget year. Jim hopes we will have everything ready by October. Bryce says the Circular Butte site has had its first round of assessment monitoring. There is more testing involved. At the end of the testing, DEQ will make the decision for what path to take going forward. Bryce expects that DEQ will put Mud Lake into assessment monitoring. Bryce says they picked up something at County Line, they sent it in for testing, but it only happened once, he thinks we are now okay at County Line. Commissioner Hegsted asks about the new two wells. Bryce says one is up gradient and the other is down gradient. Jim asks what the acceptable and non acceptable part is. Bryce says each constituent has levels set and everything that has been detected is way below ten percent of the level. Jim says we are trying to monitor early in the morning when there is no dust. Jim said they sanitized their equipment and have been working hard to keep contaminants out of the sampling. Bryce said last round Brandy used all new tubing. Commissioner Hegsted asks how deep the wells are. Bryce says 155 to 165. Bryce says we are going to drill the same way as before. Commissioner Hegsted asks what prevents equipment that is put down the hole from contaminating the sample. Jim says the well casings have a pump down in them and we hook on at the top. Robin arrives at 9:20 am. Commissioner Farnsworth asks if DEQ takes any of this into consideration. Bryce says they do and most of the time they listen to reason. Chairman Raymond says based on what we know right now public health concern is minimal. Bryce says based on what we know right now, he has no public health concern. John Rice arrives and mentions that the new well sites have been located. Jim says to John he will need a cost estimate and would like to be prepared by October 1<sup>st</sup>. Chairman Raymond tells Rocky Mountain that the board appreciates being kept informed and the emails have been very helpful.

- **Report on DuraPatcher**

George distributes a handout on the oil distribution tank showing what other entities are using. Chairman Raymond asks what DP-1 and CRS-2 are. George explains that DP-1 is the cold weather mix. CRS-2 is what he uses in the summer. Jim says that rock and oil will be out in the main budget. Jim says they will be working on the administrative cost to ensure that we will be able to replace the tank in ten years. George says on the back page of the handout is the hours that they have worked. Commissioner Hegsted asks what the stuff is in the middle on the handout. George says the stuff in the middle is the stuff we ordered, at the top is what other entities used, and at the bottom is what we used as a county. Robin says this should help other entities. Jim says it's readily available. Robin says the commissioners will need to make a decision if this is a good or bad program. Jim explains that the back page is the hours they worked on filling potholes. Commissioner Farnsworth asks if the 109.50 hours is the total time. Jim says yes. George says he doesn't mind doing Friday and Saturdays. He thinks it's easier to do the busy intersections. Commissioner Farnsworth asks how long it takes to get a load off. George says three and a half to four hours. Commissioner Farnsworth commends George on the patch job. George says this is his third year running it. George feels we have 85% potholes that are staying. Chairman Raymond says that George does an amazing job operating it. Chairman Raymond says he hopes we can get some other employees trained to manage the compensatory time being earned. Chairman Raymond asks if George is okay with using his time up by November. Jim says George is very responsible with his time and a good manager of the system. Commissioner Hegsted asks about the total time and what it represents. Jim says that is the compensatory time. Commissioner Hegsted asks what operating hours we have got the DuraPatcher up to. George says usually we will pull ten hours on Friday and throughout the week we get a couple of extra hours each evening. Commissioner Hegsted says so about 40 extra hours a month. Jim says the total time includes maintenance and operation. Robin leaves at 9:45 am. Commissioner Hegsted asks if hand patching is still be done. George says yes. Jim says sometimes George can't get to all of them. Commissioner Farnsworth asks if George goes over the hand patching. George says yes. Commissioner Hegsted asks if they are going to sealcoat the County Line. Jim says it depends on where we are at with the money. Jim says we are done with sealcoat and now we have fog coat. Jim does not see us doing chip sealing on County Line because they spent more money on the High School project. Jim says he'd like to see a 3/8<sup>th</sup> or smaller rock for a thinner scrub. Commissioner Hegsted says there are a couple spots near the railroad tracks that would be nice to fill in with the DuraPatcher. Robin arrives at 9:50 am. Jim says the grain trains are out there and he's worried about George's safety. Jim says they will try to get out there when it's safe. Chairman Raymond asks if we have gone long enough to determine the maximum amount of compensatory time. Jim says he thinks we are okay with the amount of hours staying at around 100 hrs.

**Motion** by Commissioner Hegsted to amend the agenda at 9:56 am to discuss new information received from the State. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

**Clerk – Christine Boulter**

- **Budget**

Chris says we still don't have numbers from the State. Chris says she has till 12 pm today to get the budget in to the local paper. Chris called the State to ask them what to do. They got her a

number to use. Chris says our values are going to drop down. We can't use our budget numbers because they won't fit into the levy rates. Chris talked with Gary and feels we should extend our budget hearing to September 9<sup>th</sup>. Chris says the only place we are looking okay is the levy rate on the Special. Robin leaves at 9:59 am. Chris says she talked to Gary and he put in the personal property number. Chris says she needs authorization from the commissioners to move the budget hearing to September 9<sup>th</sup> in the form of a motion. Chris mentions that we are allowed a seven day extension.

**Motion** by Commissioner Hegsted to file for an extension on the budget hearing for the year of 2013-2014 and a week extension on setting the levy. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

- **Report on Completed Chip Seal**

Jim says we completed chip sealing. We ran over the rock amount. We will see if we can fog coat.

- **Discussion on Generator Light Tower**

Jim says there is enough dollars in capital to purchase the light tower in this year's budget because we didn't do other things. Chairman Raymond asks what the amount is on the light tower. Jim says he doesn't have the numbers. If the commissioners want to proceed that way, he will get the numbers. Commissioner Hegsted says he can't make a decision without knowing the number. Chairman Raymond says we will need the numbers to make a decision. Commissioner Hegsted asks if we don't purchase the light tower how much will we be out. Jim says we use the light tower for power at the pits. Robin arrives at 10:14 am.

- **Discussion on Hamm Roller**

Jim says we can start the lease on a Hamm roller instead of renting. Jim says he does not have enough dollars to buy one out right. Chairman Raymond asks on the roller you don't have enough money to purchase a roller, but would like to lease a roller with a buyout. Jim says yes that's what he's proposing. Chairman Raymond asks if we need three bids. Jim says we only need bids for over \$50,000 and this is only a one year lease. Chairman Raymond says this helps our cash flow, but we will still have debt. Discussion held. Commissioner Farnsworth mentions waiting to see how our budget is. Robin says if you go with a lease you are stuck with it. Robin says if we pull it out and turn it back we can't purchase a new one. Robin says there are very few leases that will allow you to return it when you are not using it like in the winter. Jim says they do more road building in the winter because of low water consumption. Robin says the roller is important and if you want to cut back on debt it will have to be something else. Chairman Raymond says lets table this discussion and bring it back up during the budget discussion.

- **Report on Army Corp Evaluation of Levee next to Heise Bridge**

Jim met with the Army Corp and they say things look pretty good. The Army Corp will send a recommendation and Jim will get the commissioners the information for them to make a decision on if Road and Bridge will do the work. Jim says the Flood District does most of the levee, but Road and Bridge is responsible for a portion next to the bridge.

- **Printer Upgrade**

Jim says Mitch would like to purchase the Road and Bridge printer for \$1,200. Jim would like to purchase a new one for \$6,617. Jim has money in the capital line. Chairman Raymond asks if he has cash in the budget. Jim says yes. Robin mentions that it's critical to have a maintenance agreement. Jim says the maintenance agreement will cost more.

**Motion** by Commissioner Hegsted to authorize Road and Bridge to purchase a printer for \$6,617 and sell the other machine to the Weed Department with both departments purchasing a maintenance agreement. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Chairman Raymond asks Jim to provide a history of the solid waste carriers, the total dollar amount received by each for last year, and then the total dollar amount received for each this year. Chairman Raymond says thanks for all your efforts.

**Jim Mitchell**

- **Paving of Road – Hall Industrial Park**

Did not show.

Recess at 10:32 am.

**Sheriff – Blair Olsen**

- **Storage Building**

The Sheriff shows the commissioners a drawing of the proposed storage building. Robin says the proposed location is where he suggested the prosecutor attorney's office be built. The Sheriff says the storage building provides three 12 ft doors with plenty of space and easy access. Commissioner Hegsted asks how long the patrol boat is. Sheriff says the boat is 21 ft and there is room for the boat and trailer. Discussion is held on the foundation. The Sheriff says we won't have the wall, but we are getting our footings and treated lumber on the base of the walls. It would be nicer to have the wall, but it would be more expensive. Commissioner Hegsted asks about the interior. Sheriff says it would just be a shell and they will do the interior work in the future. Chairman Raymond asks how much it will cost. The Sheriff says about \$40,000 - \$42,000. The Sheriff says he has about \$36,000 between Search and Rescue and Waterways. Chairman Raymond asks if he would have a problem with just putting in an apron and then gravel. Sheriff says no he has no problem with it. Chairman Raymond says we could ask for it to be bid both ways to see how much it will be.

**Motion** by Commissioner Farnsworth to move forward with the bid process on the storage building as drawn. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Recess at 10:55 am.

**Social Services – Edidt Ramirez**

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

**Motion** by Commissioner Farnsworth to go into executive session at 11:01 am pursuant to Idaho Code 67-2345(D). Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

Moved back into open session at 11:25 am.

**Motion** by Commissioner Hegsted to approve #2013-38, to approve #2013-67, to deny #2014-01 for lack of cooperation, to deny #2014-02 for lack of cooperation, and to deny #2013-66 for lack of cooperation. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

**Motion** by Chairman Raymond to adjourn for lunch at 11:26 am. Second by Commissioner Hegsted. Motion passed unanimously.

## **Lunch**

### **Building Maintenance – Scott Herrick**

- **Computer Room**

Scott mentions he's here on behalf of Cody, Ginger, and Computer Arts. The air conditioner in the server room by Cody's office is a lemon. Over six years we have spent \$3,000 in repairs. Scott says every year the air conditioner will not stay running. Scott takes everyone to visit the server room. Scott explains that we have a five ton air conditioner for this small room and that we keep losing components. Garn arrives. He's been leaving three fans running to try to keep it cool when the air conditioner stops running. Cody mentions it's loud and the temperature is a problem. We return to the commissioners' room. Scott explains that with some help from Garn he learned about other counties that are having the same problem that we have. Robin arrives at 1:09 pm. Scott talked with Teton County. Chris asks Garn to mention the cost when the air conditioner quits working. Garn says at Bingham County the machines reached 110 and everything shut down which cost them \$80,000. Scott says the fans have been working more than the air conditioner. Right now we are okay, but it's not how it's supposed to be run. Scott hands out a sheet of what he'd like to do. On what he's proposing, the compressor is always modulating. Scott does not have a cost estimate on this particular model because he is still waiting for it. Scott says the unit installed might be \$8,000, but not to quote him. Scott would like to do something before we lose the server room. Scott says this is a smaller unit and would be more energy efficient. Garn says Fremont, Teton, Power, Madison, and Caribou counties use similar types. Commissioner Hegsted asks about the installation. Garn says there would be two hoses coming out of the wall, the unit attached to the wall, and the outside part mounted on the roof or on the side of the building. Scott says this is pretty serious. Cody says the fans have been running thirty days straight. Chairman Raymond says we need some numbers, but he thinks this is the way we need to proceed. Commissioner Hegsted and Commissioner Farnsworth agree.

Robin leaves at 1:33 pm.

### **Commissioners**

- **Certificates of Residency**

The commissioners sign the certificates of residency.

- **Claims**

Discussion held on claims. Commissioner Farnsworth has a question on a roller rental of \$5,900 because he didn't think we used it and calls Jim. Jim says yes we used it. Chairman Raymond had a question on asphalt, but figured out that one was paid by the bridge grant and the other out of Special. Robin arrives at 2:01 pm.

**Motion** by Commissioner Farnsworth to approve the claims dated July 23, 2013 through August 9, 2013 to total \$637,966.02 abstaining from voting on the Dunn Law Office claim on the Eagle Rock matter until we receive an answer from the Attorney General's Office. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

- **Minutes**

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

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

- **Working Session – Budget 2014**

Chris hands out a copy of the budget. Chris says when she talked to Gary with the State the number he gave her didn't have the operating number in it. The number now is \$1,064,592,488. The District Court number is still over the levy rate so Chris wants to work on moving numbers around. Chris wants to go over everyone's budget page by page. Chairman Raymond asks if we found revenue in Solid Waste. Chris explains she was able to add money back in Solid Waste because the report she ran prior didn't show the fee money. The number in column G now is \$1,018,037. Chris discusses the Special Road and Bridge account and says she needs to know where they want to put the money. Chris has the commissioners review the Road and Bridge fund. Chairman Raymond asks how much we paid for crushing rocks. Discussion held. Robin says potholes are the number one concern in the county from public feedback. Discussion had on impact fees. Robin says we are trying to get more State prisoners. Chris says we need to do a resolution to move \$40,000 from the Weed Trust to the Weed department.

**Motion** by Chairman Raymond to amend the agenda at 2:39 pm to adopt resolution 2013-16 to move \$40,000 from the Weed trust to the Weed department. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

### Commissioners

- **Resolution #2013-16**

**Motion** by Commissioner Farnsworth to adopt resolution 2013-16 to move \$40,000 from the Weed trust to the Weed department. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

### **Parks & Rec – Emily Kramer**

- **Trail Bid**

Emily discusses that she emailed five contractors pursuant to statute. Only one bid was received from H-K Contractors to total \$31,460. She'd like to go ahead with it since she tried to get three bids. The money will come from lake user fees and impact fees of \$8,213.

**Motion** by Commissioner Hegsted to accept the bid from H-K Contractors to total \$31,460 for renovating the lake trail. Second by Commissioner Farnsworth. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

### **Joyce Briggs**

- **Lewisville Cemetery Permit Fee Request**

Joyce, Chris, and Janeal are here to request a fee waiver for the Lewisville Cemetery addition. Naysha explains that they are filing for a subdivision plat for a cemetery that is required by statute. Joyce shows them a map of the proposed addition. Naysha says the application fee they are requesting to be waived would be \$3,070. Joyce says they have a small taxing district and they are asking for waiver. Chairman Raymond asks about their levying power. Joyce and Janeal say they've been levying as high as they can, but it's hard because they didn't levy in the past. Joyce mentions they have a volunteer sexton.

**Motion** by Commissioner Farnsworth to waive the plat application fee for the Lewisville Cemetery because it is small taxing district. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

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

- **Pheasant Run Administrative Plat**

Naysha says she has an administrative plat for Pheasant Run. Mike Jenkins is the applicant and owner. The property is approximately located at 4500 E 75 N. It is in a R1 zone, the current land use is agriculture and R1, the surrounding area is agriculture, R1, and R5. The total acres are 28.09 with 4 buildable lots and a minimum lot size of 1.33 acres. The intended use of this subdivision is for residential single family dwelling units. The property is in the City of Ririe's impact area. However, the City of Ririe's Planning and Zoning Commission has given their consent for the development.

**Motion** by Commissioner Hegsted to approve the administrative plat for Pheasant Run. Second by Commissioner Farnsworth. Motion passed unanimously. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

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

- **Pickup Tires**

Naysha says that we asked them to put all terrain tires on the truck when they bought it, but when they got it, it had all season tires on it. Jeff did some research and found out that all terrain tires

from the manufacturer are 6 ply. All the ones he got bids from are 10 ply. Ron's Tire will buy each tire back for \$70 and then take \$120 off the price to total \$619. Les Schwab total is \$738.96. Jack's Tire and Oil is \$700. Naysha says we worked out a deal with Smiths because the tires were incorrect and they tinted the windows. Naysha says we don't have to get the tires, but we would like to keep from getting flats out in the Hamer area and job sites. Chairman Raymond asks Naysha if she has any money in her budget. Naysha says she has the money from the sale of the new Ford.

**Motion** by Commissioner Farnsworth to purchase tires for the Building department's truck from Ron's to total \$619. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

- **Purchasing Tonneau Cover**

Jeff got two bids for the bed cover. One from Auto Trim to total \$969 and the other from Wild Things to total \$950. Jeff would like to use Auto Trim because they have been good to work with.

**Motion** by Commissioner Farnsworth to purchase a bed cover for the Building department's truck from Auto Trim to total \$969. Second by Commissioner Hegsted. Roll call taken. Hegsted – aye. Farnsworth – aye. Raymond – aye. Motion passed unanimously.

- **Damage Repairs**

Jeff mentions that the truck got hit when it was in to get the windows tinted. Jeff got three bids and Ding Genie was the lowest. Chris mentions to make sure crash parts won't be used to repair it. Commissioner Hegsted asks if Jeff got a Majestic Auto estimate. Jeff will get one from them. The commissioners ask Jeff to select a quality collision center to do the repairs.

### Commissioners

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

**Motion** by Commissioner Hegsted to go into executive session at 3:30 pm pursuant to Idaho Code 67-2345(F) 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 4:36 pm.

Discussion held on personnel issues.

- **ICRMP Training**

Commissioners work on their online ICRMP policy reviews and training.

Robin leaves at 4:41 pm.

### Kevin Konzen

- **Sign Ordinance**

Kevin explains that some homeowners got together and put up a sign called Par-tee-drive. Kevin reads his statement into the record. Chairman Raymond asks Casey if the blue sign represents a private drive. Casey wants to let the commissioners know that the sign sits on her property. The

commissioners say okay. Casey answers that the blue sign does represent a private drive. Commissioner Hegsted asks why there was no street sign put up. Casey says they don't put up a sign unless it's requested. Commissioner Hegsted asks if this is a dead end road. Kevin says yes. Commissioner Hegsted asks why the street number is 4108 E. Casey says from her understanding they wrapped the addressing versus giving it a separate address. Commissioner Hegsted asks if we number private drives. Naysha says according to the ordinance we number private drives and homes. Chairman Raymond says that is what we have done in this case. Commissioner Hegsted asks if the signage is posted on a pipe that the county installed. Casey says the county did not install anything. Chairman Raymond asks if the 4108 E blue sign was done privately. Casey says yes. Kevin says most of the people have moved on. There are probably two of the original homeowners. Commissioner Hegsted asks what Planning and Zoning's responsibility is. Naysha says Mike and Casey work on sign installation. Commissioner Hegsted says what have we failed to do? Naysha says we failed to put a proper sign in. Naysha says a lot of time the property owners don't want to pay Road and Bridge for the signs. Naysha says our only responsibility would be to put up the sign. Chris asks if there is anything in the covenants. Kevin doesn't think so. Kevin says he really thinks the county ordinance applies. Robin arrives at 5:24 pm. Chairman Raymond says we have signage on a private road. Robin says we have to mark things. Commissioner Hegsted says they put up a sign on private property. Robin says we can't touch anything on private property. It has to be in our 60 ft easement. Robin says we can put up a sign in our right-of-way. Robin says there is a county ordinance on signage. Kevin says he has another picture showing the sign in relation to the road. Kevin believes this is in the county right-of-way. Robin says if it's in the county right-of-way we can take the sign down and put up our own sign. Chairman Raymond says they will ask Road and Bridge to determine if it's in the county right-of-way. Chairman Raymond asks Casey to have the right-of-way found and then to put up a street sign. Chairman Raymond tells Kevin maybe you could try to put some signage language in your covenants. Chairman Raymond asks Casey to have an independent person measure the right-of-way. Casey says if we put up the sign we will have to put up two. Naysha suggests putting up two signs with the house numbers on them.

#### **Attorney – Robin Dunn**

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

**Motion** by Commissioner Farnsworth to go into executive session at 5:38 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 6:00 pm.  
Discussion held on contractual issues.

**Motion** by Commissioner Farnsworth to adjourn at 6:01 pm. Second by Commissioner Hegsted. 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*