

Jefferson County Commissioner Meeting Minutes June 9, 2014

Meeting called to order at 9:00 am. Those present are Commissioner Farnsworth, Commissioner Hegsted and Chairman Raymond. Edidt Ramirez and Chris Boulter are clerking the board. Emily Kramer leads in the Pledge of Allegiance and Edidt Ramirez offered the prayer.

Commissioners

- **Public Works Administrator Decision**

The interviews have been conducted. A discussion is held on the applicants. Commissioners speak about their hire recommendations. **Motion made by Commissioner Hegsted to offer Paul Snarr the Public Works Administrator position for an annual salary of \$65,000 based on his engineering degree and experience; motion is seconded by Commissioner Farnsworth. Open for discussion. Roll call taken.** Paul completed many projects in Bonneville County and has years of experience. He loves eastern Idaho and has family here. Commissioners state they were impressed by his experience. He also has grant writing experience which would be a great benefit to the county. Chairman Raymond agrees with commissioners. **Roll call vote. Commissioner Farnsworth – aye. Commissioner Hegsted – aye. Chairman Raymond – aye. Motion passes.** Emily is asked to make contact with him and to report back.

Commissioners

- **Jail Inspections**

Commissioners perform a quarterly jail inspection and report back that it went well.

Planning & Zoning-Naysha Foster

- **Broken Arrow Estates Administrative Plat**

Naysha presents an administrative plat with 2 lots owned by Marilyn Jensen. The property is around 300 N. Lewisville Hwy and is zoned residential-five. The minimum lot size is five acres. No concerns were found when reviewing the plat and each lot has existing road frontage. Mrs. Jensen is splitting the house and five acres from the remainder of the property. This is found right on the Lewisville Highway as you come at the end of 300 N. They are splitting the 5 acres and house out of the 57 acres which are all owned by Marilyn Jensen.

Motion made by Commissioner Hegsted to approve the Broken Arrow Estates administrative plat; motion seconded by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye. Commissioner Hegsted – aye. Chairman Raymond – aye. Motion passes. Chairman Raymond signs the plats.

Parks & Recreation - Emily Kramer

- **Vendor Permit**

Emily presents Teton Board Sports vendor proposal for the 2014 lake season. They would like to rent paddle boards at an annual license fee of 10% of net or \$100.00 whichever is greater. Emily recommends accepting their proposal because of the need for rentals at the lake. **Motion made by Commissioner Hegsted to accept Teton Board Sports vendor proposal for the lake. Seconded by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth**

– aye. Commissioner Hegsted – aye. Chairman Raymond – aye. Motion passes.
Commissioners sign the vendor permit.

Elections-Shonna Allred

- **Resolution #2014-10-Destruction of Records**

Shonna Allred presents a resolution for destruction of 2010 primary election ballots and 20 election poll books. **Motion to adopt resolution #2014-10 for destruction of 2010 primary election ballots and 2010 election poll books by Commissioner Farnsworth seconded by Commissioner Hegsted. Roll call taken. Commissioner Farnsworth – aye. Commissioner Hegsted – aye. Chairman Raymond – aye. Motion passes.**

The Commissioners sign the resolution.

Byron Blakeley

- **Zoning & private property issues**

Byron Blakely and Teresa Blakely are present. Byron explains that years ago they had their property re-zoned when a comprehensive plan was completed. It affected more than 500 acres. They would like to have this re-zoned so they can have the same benefits as others. Mr. Blakeley presents to the commissioners a picture of an area he is addressing. He says his ground gets affected; they lose cattle and property because heise resort doesn't allow 4 wheelers. This then causes people to use the Blakeley's property to pull off the side of the road. They have talked to the road and bridge department and would like to know where they can put in a sign. He is requesting to have the County put in the sign because they don't know where it would be proper to place it. They had a sign made that states no thru road and want the county to put sign on a post and to install it. His cattle are being stolen and he feels he is losing his property. The sign would be going on Neil Brown's property. The area where the private property is at in the beginning is Neil's but up the property at the end of the road belongs to the Blakeley's and its being used as a turn around. Commissioners indicate to Blakely's that they cannot post signage because it is private property. Commissioners say this is a private property issue and they can only post signage on public property in the interest of the public. The County's rights end at the right of way. This issue needs to be discussed and posted between the owners of the private property because it is out of the county's jurisdiction. Naysha indicates zoning has to be contiguous and neighboring property owners have to agree. When the property's zone was changed back in 2005 the zoning map was also changed and edited. If it's contiguous to neighboring property then they are allowed to do a land use application and it will be taken to the planning and zoning commission. Then the planning and zoning commission will make a recommendation to the board of county commissioners. The zoning that was there previously was dissolved but they can apply for different zoning. Mr. Blakeley says he is very offended with the county not being able to do anything about people on his private property.

Recess for 6 minutes

Robin Dunn is present at 10:22

Steve Reed

- **Preliminary Plat Review**

Mr. Reed is present with his son Brennan Reed. He hands a packet to commissioners. He reports his address is 4800 E. 150 N. His son would like to build on his property and he would also like his son to build on it. There are 3 lots there listed as lot 1, 2, and 3 (according to Mr. Reed's sketch). He is showing there is not much traffic through this area. He is not selling his home although it is unoccupied and does not plan to sell it. He indicates it is just over 5 acres. It has been 9 years since anybody has camped out in the area of the property. Lot 3 is owned by Mr. Reed's brother who uses it to graze cows. He indicates there is some area that has been graveled. Mr. Reed inherited a portion of his father's land. He explains to the commissioners which parts of his land is being used and for what. Naysha adds that the subdivision ordinance only allows 3 lots on a private road. Lot 2 and 3 are not buildable. Lot 2 is used as a recreation – camp out area. The 2 acre lot is where he would like to build. At Commissioner Hegsted's request Naysha explains what the county's requirements are for a private road. Mr. Reed is basically just asking for recommendation from the commissioners today to see if he can move forward with applying for an administrative plat. They recommend contacting an engineer familiar with the county ordinance to see if they should proceed with this to later present a plat to the commissioners. Naysha questioned how the ordinance will be interpreted by the Commissioners. There will technically only be 2 (subdivided) lots and 3 parcels on a private road. Naysha reminded them there is a difference, and wanted to make sure Mr. Reed could proceed as he has planned or if they will consider only 3 lots/parcels all together on a private road. Commissioner Hegsted said he felt comfortable with Mr. Reed moving forward with the preliminary plat as planned and would only consider lots and not parcels. The other two Commissioners agreed.

Social Services – Edidt Ramirez

Motion to go into executive session 67-2345 (D) at 11:03 am by Commissioner Farnsworth, motion is seconded by Commissioner Hegsted. Roll call taken: Commissioner Hegsted aye, Chairman Raymond aye, Commissioner Farnsworth aye. Motion passes.

Open session at 11:13a.m.

Motion made by Commissioner Farnsworth to deny indigent case number 2014-68 based on ability to pay, deny indigent case number 2014-65 based on non-residency of county, deny indigent case number 2014-64 due to lack of cooperation and deny indigent case number 2014-69 due to lack of cooperation and incomplete application; motion is seconded by Commissioner Hegsted. Roll Call taken, Commissioner Hegsted-aye, Commissioner Farnsworth-aye, Chairman Raymond-aye. Motion passed

Lunch break at 11:14 a.m. resuming at 1:00 p.m.

Robin Dunn is present at 1:00 p.m.

Geri Rackow-Eastern Idaho Public Health

- **2015 District Budget**

Geri hands out copies of the 2015 budget to the commissioners. She explains that this is a semi-annual meeting and reviews the proposed budget. The overall budget is 3% increase from last year. County appropriations are at a 1.5% increase with Jefferson County's share at a 1% increase. Geri explains there is an increase in immunization revenue. Millennium increase as free service is provided to residents of the

county. Funding for preparedness is dissolving. There will be a permanent salary increase for employees which will increase expenses. There will be an increase with the new expenses for the health district in the amount of \$126,000.00. There will be a public hearing June 19th and a regular meeting following. 16% comes from counties for funding and about the same comes from the state's contribution. There will be a new chairman this year for the health district. Informational items- public health monthly newsletters and data table 2014 county overall health are handed to the commissioners. Geri talks about the Mud Lake office. They need to paint the building, exterior issues need to be fixed, and railings need to be put on front and back entrances. Geri asks if there is money from the county for the repairs. Emily is asked to go look. Emily reports back that the Board designated \$500 for repairs to the building. Commissioner Farnsworth will get the dimensions of the railings at the Mud lake office and contact Chairman Raymond to see if they can get somebody to install the railings. Recess for 6 minutes resume at 1:30 p.m.

Commissioners

- **Approve Claims**

Commissioner Farnsworth has a question on the mounted patrol training claim and on if the Sheriff has checked on insurance for this. Commissioner Farnsworth says that he doesn't believe the mounted patrol program was budgeted for. Commissioner Farnsworth also adds that this program should be revisited to see if there really is a need in the county for mounted patrol. Claims should be paid now, but Commissioner Farnsworth asks to revisit this at the next meeting.

Motion is made by Commissioner Hegsted to approve the claims dated from 5-27-2014 through 6-6-2014 in the amount of \$244,896.29, motion is seconded by Commissioner Farnsworth. Roll call taken: Commissioner Hegsted-aye, Commissioner Farnsworth-aye, Chairman Raymond-aye, motion passes.

- **Commissioner Meeting Minutes**

Motion is made by Commissioner Farnsworth approved minutes as corrected for May 27, 2014; motion is seconded by Commissioner Hegsted. Roll call taken: Commissioner Hegsted-aye, Commissioner Farnsworth-aye, Chairman Raymond-aye, motion passes.

- **Certificates of Residency**

Certificates of residency signed.

- **Review Water on Road Ordinance**

Emily reports that she was asked to gather information from other counties. She reports that Bonneville, Madison, and Teton do not have a sprinkler ordinance. Caribou and Bingham do have an ordinance. She reviews the fees for the offenses. It appears that Jefferson County has a stricter ordinance than the surrounding counties. Commissioner Hegsted is of the opinion that the ordinance is satisfactory. Chairman Raymond wants to make the ordinance more public and asks Emily to make the ordinance available to law enforcement so they can use it if it is needed when enforcing as well as putting it on the website.

- **Sound Recording System**

Naysha and Chris have met and figured out what can be paid out of which budget. The estimated cost is \$5,100.00. They suggested taking it out of indigent, commissioners, and planning and

zoning. Planning and Zoning uses it about 9 times a year, indigent hearings are about 3-6 times a year. Commissioners will use the recording system 2 times a month. Chairman Raymond suggests that planning and zoning pays \$1,000.00, indigent 1,000.00 and commissioners pay the remainder. Discussion was held about it not being budgeted for this year. Commissioners plan on budgeting for it next year. A transcription line will also need to be added to the budget in case that anything being recorded would need to be transcribed in the future.

- **Review Mud Lake Project**

Geri already brought this up during the EIPHD 2015 budget discussion earlier and there is nothing else to discuss.

- **Telephone Contact Warranty**

Commissioners discuss if a telephone contract warranty plan is needed. Chairman mentions it would be \$400.00 per month for the Control Unit/voice mail coverage or \$800 per month to include the telephone sets. Discussion is held. Commissioners ask how many phones on average need repaired annually and if it is cheaper to repair them ourselves or having a warranty plan. Commissioners table the decision until Mike Miller can be present to discuss whether or not it is needed. Sheriff Olsen and Mike Miller are present. Last phone system the Sheriff's side purchased a warranty plan and the courthouse side did not. Sheriff Olsen and Mike recommend purchasing a warranty for the Control Unit/voice mail coverage, but Mike will look into it before making a solid decision. Mike and Dean Stutzman are present. Mike says its \$400.00 a month for the control unit and it is being recommended but not so much for the telephones. Dean explains that the first year is warranted and the extended warranty would start a year from when it is installed. Decision tabled.

- **Vehicle Policy Update**

Emily hands out a vehicle policy update. Emily explains that 4H has brought it to our attention that the policy prohibits them from taking 4H to camp that are under the age of 16. A recommendation is to delete letter D. Commissioner Hegsted asks why this was part of the policy. Emily mentions that in 2011 it was included because of having family traveling with employees to trainings and it was a concern that younger children are a distraction.

Motion by Commissioner Hegsted to adopt the vehicle policy addendum number 2 as so stated; motion seconded by Commissioner Farnsworth roll call taken. Commissioner Hegsted-aye, Commissioner Farnsworth-aye, Chairman Raymond-aye, motion passes.

- **Public Defender Office**

Chairman Raymond mentions that there will be a Magistrate committee meeting this Friday. Emily is asked to present what she found. Emily explains that she was asked to contact the public defender and conflict attorney to inquire how many hours they spend each month on services. Paul Butikofer estimates 80 hours a month on Public Defender Services. Chairman Raymond mentions that there are two choices a full time public defender office with attorneys and staff or hire an hourly contracted public defender. Robin says the county could contact Madison and Fremont County to see if they would be interested in having a joint office with Jefferson Count. If this happened they would need a governing board. Commissioners discuss what their feelings are as for having a public defender's office or hiring a public defender hourly. Commissioners will collect more information before making

a decision. Commissioner Hegsted suggests talking with Bonneville County and discussing a joint office with them since they have a public defender's office already.

- **Appoint Midway Pest Abatement Dist. Board meeting**

Emily presents Cliff Bramrell's resignation letter which recommends a person to take his place. The commissioners ask for 2 more names to be recommended and then they will make a decision. Commissioner Hegsted mentions it would be nice to receive one from the Grant area if possible.

- **Building Contract**

Commissioners sign the contract and notice of awards for the storage building that they awarded on Thursday of last week in a special meeting.

- **Commissioner Budget**

The commissioners review their budget. Chairman mentions that there is a compliance officer line which has never been filled. Chairman recommends having public relations in place of the compliance officer. Commissioners and clerk discuss the commissioner's budget. Emily suggests adding a technology line in the amount of \$6,100.00 for the recording system and website update, a transcription line, and an employee recognition line in the amount of \$3,000.00. Robin mentions that the amount that may be needed in the transcription line would be about \$1,000.00 if the minutes were ever needed for a court case.

- **Transparency Answers**

Commissioner Farnsworth reads a letter he has written in regards to the questions he was asked at the last commissioner meeting about an editorial he wrote in the Jefferson Star.

Motion is made by Commissioner Farnsworth to have Mr. Dunn reimburse the county legal fees by the first commissioner meeting in July. Motion dies for lack of a second.

Chairman states he believes that they have gone against advice of their legal counsel by discussing this issue here.

Motion is made by Commissioner Farnsworth to ask for independent legal counsel to address the destruction of county vehicles issue. Motion dies for lack of a second.

Mr. Dunn states the funds were appropriately accounted for and that the Sheriff's Office investigated it.

Motion made by Commissioner Farnsworth to remove the restrictions and let the AG investigate the Sheriff at will and to not wait until July. Motion dies for lack of a second.

Sheriff states that he is currently under investigation and does not believe this should be publicly discussed since it is pending. Mr. Dunn recommends treading carefully because there is a pending investigation and mentions that if the AG identified another area to investigate they could make a request and he has received no requests to broaden the investigation.

Commissioner Farnsworth mentions that progress was seen at the jail after today's inspection. Scott is handling the repairs and Commissioner Farnsworth just wants them addressed and taken care of. Commissioners Farnsworth also mentions that he feels he had no support from fellow commissioners when addressing the repair of the ceiling in the jail. Chairman Raymond questions why he felt he had no support for repairs of the roof. Chairman Raymond mentions if they did not support the repairs Scott and Robin would not be working with the company to repair the roof. The Board did authorize them to move forward. Chairman Raymond says he felt they were and still are in unison on the repairs of the roof.

Commissioner Farnsworth feels there are issues with the access policy. Commissioner Hegsted mentions that everyone had an opportunity to weigh in on the policy. Commissioner Farnsworth would like to address the access policy and requests for it to be added to the next agenda.

Commissioner Farnsworth states that he hopes they can work through disagreements and does not want to attack anybody. Mr. Dunn asks Commissioner Farnsworth if he stands by the points he has spoke about today. Commissioner Farnsworth responds he believes so.

Commissioners

- **Solid Waste Pre-Proposal Conference**

Emily hands out the request for proposals and reviews this with the commissioners. A few written questions have been received which need answered in this pre-proposal conference. One question on page 3 is if waste must be disposed of at the circular butte landfill. The commissioners change it to read should be disposed of instead of must and to add unless otherwise agreed upon. On page 4, does the collection within 24 hours of customer request only apply to compactors and drop boxes? The commissioners clarify that it only applies to compactors and drop boxes and that these services are exclusive to the hauler awarded the contract. On page 6, what is the definition of special wastes and how are they scheduled. The commissioners change the statement to read that contractors will be required to assist the county and under special circumstances would be asked to pick up special waste for a charge to be negotiated based on the type of waste. On page 6, what is the definition of unlimited? The commissioners delete the word unlimited. On page 9, what does 2000 mean? The commissioners change it 2014 dollars. On page 17, can the start of the contract be changed to allow time to purchase containers? The commissioners change the start of the contract to no later than October 1, 2014. On page 21, is the total price charged to include the cost of disposal. Commissioners answer yes. On page 36, does the contractor have to maintain an office within Jefferson County? The commissioners change the statement to read the contractor shall give notice of telephone service and an address to respond to complaints, orders for missed collections and project coordination with the county. On page 39, it is possible to have all the containers provided by the contractor. The commissioners say yes and ask for that statement to be deleted. On page 39, it is not possible to have an anticipated list of customers to be served. The commissioners change it to read that the contractor shall provide county with a customer list, including name, street address, and zip code, of residential and commercial accounts. Such list shall be made available for inspection by the county. The list may be in writing or other media or format as approved by county.

Chairman opens it up for verbal questions. Todd Hanson asks if the county is planning on creating an ordinance to protect the exclusive rights of the contracted hauler. The commissioners answer if the exclusive hauler contract is supported then yes the County would adopt an ordinance to protect the rights of the hauler. Kim Galloway hands out a folder to each commissioners.

Commissioners

- **Dispatch Renovation Bid Opening**

One bid has been received on time. The bid is from 3D Decker in the amount of \$58,283.00. It does not include the bullet proof material because the company has never contacted the contractor with a price. A bid bond is enclosed and a public works number is identified.

Motion is made by Commissioner Hegsted to award the bid for the sheriff's office renovation to 3D Decker in the amount of \$58,283.00 allowing for a change order for the bullet proof material cost, but the cost must be approved by the Board; motion is seconded by Commissioner Farnsworth. Roll call taken: Commissioner Hegsted aye, Commissioner Farnsworth aye, Chairman Raymond aye, motion passes.

The BPS contract was being prepared for review and acceptance for the one year limitation and would be presented to the commissioners a future commissioner meeting.

ATTORNEY – ROBIN DUNN

- **EXECUTIVE SESSION 67-2345(F) –Legal**

Motion made by Commissioner Hegsted to go into executive session 67-2345 (F) at 4:18 p.m., motion is seconded by Commissioner Farnsworth. Roll call taken: Commissioner Hegsted aye, Commissioner Farnsworth aye, Chairman Raymond aye, motion passes.

Open session at 5:02 p.m.

Discussion held on pending litigation.

Emily reports back that Paul Snarr has countered and would like to use his own phone, a salary of \$68,500.00, his own office, and \$3,000 in relocation cost.

Motion by Commissioner Farnsworth to offer Paul Snarr an annual salary of \$68,500, \$25 a month for a phone, and his own office; motion is seconded by Commissioner Hegsted. Roll call taken: Commissioner Hegsted aye, Commissioner Farnsworth aye, Chairman Raymond aye, motion passes.

Commissioners sign notice of award and notice of receipt on the Sheriff's Office renovation that was awarded earlier in the day.

Motion to adjourn at 5:29 p.m. made by Commissioner Farnsworth, motion is seconded by Commissioner Hegsted. All in favor. Motion passes.

Chairman of the Board

Clerk of the Board

County Clerk