

**JEFFERSON COUNTY COMMISSIONER MEETING MINUTES  
NOVEMBER 20, 2017**

Meeting called to order at 2:00. Those present are Commissioner Hancock, Commissioner Martinez, Chairman Farnsworth, Planning & Zoning Kevin Hathaway, Planner Ian Zollinger, Clerk Colleen Poole; Audrey Moon is clerk of the board. Pledge of Allegiance led by Commissioner Martinez. Prayer offered by Commissioner Hancock.

**PLANNING & ZONING – IAN ZOLLINGER**

• **PUBLIC HEARING – JEFFERSON COMMERCIAL COMPLEX DIVISION 1**

[2:00:54 PM](#) Chairman Farnsworth said they will move into the public hearing for Jefferson Commercial Complex.

[2:02:07 PM](#) Ian goes over staff report. The applicant is Blake Larsen. Location is approximately 455 North Yellowstone Highway. This is C1 zoning with C1 to the south and R1 to the north. Size is roughly nineteen to twenty acres. Application was submitted October 24, 2017. This is not in the floodplain. Is not in area of impact. This is approximately five miles from city limits. This is for a legal division of property. This is to correct a mistake to bring this back to allow building rights. Commissioner Martinez asked about the mistake. Ian said when they split property illegally they realize that they are not allowed to build on the split. To allow this they have to subdivide. This is what should have happened but didn't. Commissioner Hancock asked about the road will this be private for this subdivision. Ian said it will all of the others have separate access.

[2:05:17 PM](#) Blake Larsen 326 N 4150 E in Rigby, Idaho. These are his storage units. See how there are three separate blocks he was buying the south half on the division line. Had this surveyed in two separate halves. Did not know this was causing a problem because he was not building at the time. Found he had illegally split this when he had tried to get a building permit. So had to plat this and this shows the three separate plats. Was not intending to do anything with this. That is why this had to be re-platted. The other side is owned by Ray Peterson.

[2:07:19 PM](#) Commissioners do not have any questions. Commissioner Hancock said this is already zoned C1.

[2:07:34 PM](#) Dave Walrath said that Mr. Larsen filled out an access application permit. Went out and looked at this. Provides a few shots from google earth and the county interactive map. This shows property boundaries. Measured from center line of bridge to the driveway for the house to the south. What is not showing is they have put in a circular turnaround and meets Yellowstone. This will be really close to where this access will be located. This may be an illegal access but not for sure. If they look at the bridge and driveway they have 150 feet between these the spacing should be good but the turnaround could cause conflicts. Chairman Farnsworth knows where this is. Does not seem to be used much but is still there. Dave said they will be able to issue this access.

[2:10:49 PM](#) Chairman Farnsworth said they will go to the public hearing portion. No one here in favor. No one here is neutral. No one here in opposition. Chairman Farnsworth closes the public hearing section and will move toward deliberations.

[2:11:42 PM](#) Commissioner Hancock believes this is not intended for public use. Does not believe it should be a safety hazard.

[2:12:24 PM](#) **Motion by Commissioner Hancock to approve the Jefferson County Commercial Complex Division 1 final plat. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

**IDAHO REPRESENTATIVE 35B - KAREY HANKS**

• **LEGISLATIVE DISCUSSION**

[2:16:06 PM](#) Karey is here to come and ask some of their concerns as they head into the legislative this year. Had 544 bills last year and out of these had 342 signed into law. Would like to be repealing laws not issuing new laws. This does not include resolutions. Believe that she read all of these. Does not mean she understands them. Just for their information she does a newsletter every week to keep everyone updated. This keeps everyone informed. In Fremont County there is a proposal for the Targhee Pass they are doing the environmental assessment now. ITD is considering building wildlife overpasses there. Believes the funds should be used on roads and bridges. Said there are a lot of animals being killed. They have had five to seven already this year. These would cost around \$3 million apiece. Have other options such as cutting trees back and cutting down the speed in the evening. Commissioner Martinez believes this has happened in the Pinedale area. Karey believes this is not a hundred percent saving the animals. They are a part of the transportation district. They would put fences up and one of the county commissioners said this is \$70 a foot. Wanted them to be aware of this. Will be making the decision this summer. Chairman Farnsworth asked how many are they going to want. Karey said they want to start with three but would continue to put these in. Commissioner Hancock said there are other options. With making this it restricts the heights on trucks. When he read the article the cost was a huge concern but there are other options they could look at. Karey has written up an answer to the Post Register that she leaves with the commissioners.

[2:25:23 PM](#) Karey believes this effects this county as well. Commissioner Hancock said a concern is the funding for highways and bridges. The only way they will ever get ahead is to get more money available. Karey said this is a reason she is concerned about using these funds for this project. Realizes the road needs to be improved. This would affect public access and private property.

[2:28:19 PM](#) Karey said not totally understanding of state finances. Would like to not see the state add employees. When asked if the state was not running well with less employees all they say is they are trying to get back to where they were in 2009.

[2:30:22 PM](#) Commissioner Hancock wants her to look at indigent care for people in the jails. If they are incarcerated the county pays for this. Chairman Farnsworth said this is expensive with the help. Goes over an issue of a death in the jail they had to pay \$250,000. Karey asked why. Chairman Farnsworth said instead of this going to the CAT board where they cap out at \$11,000 they had to pay the full amount of medical expenses because he was in custody of the jail. Commissioner Hancock thinks this is something that needs to be addressed.

[2:35:28 PM](#) Karey goes over some of the larger counties. Chairman Farnsworth said they align this so they get the lion share. They have the biggest share of legislatures in their area. Is on the Health Board and they have been fighting on the funding formula. Three and four want the

majority share of this funding but they cannot justify why. They are trying to go off a different formula. If this passes it harms two other districts. They cannot show why they need the money. Looking at how much their people make and how much ours make. Have legislatures trying to push this formula. Thinks the legislature should not be bothered with this. At what point is this conflict of interest?

[2:37:31 PM](#)

Chairman Farnsworth said they have changed this several times. Ada still wants more but they do not have a program to justify why they should receive this. Commissioner Hancock said some of these smaller counties Lemhi, Custer and Butte do not have access to these medical services. Chairman Farnsworth adds the expense to travel back and forth between these areas.

[2:40:30 PM](#)

Karey encourages them to contact ITD as a county where they are all in the transportation district. Need these funds for other roads and bridges. Knows that they all have to run on a budget they cannot just go and find money. Would like to cut taxes at the state level. Was just out in Clark and Butte County. Commissioner Martinez said that this is similar to what Trump is trying to accomplish. Giving money back to the people who will then put this back into the economy.

[2:43:36 PM](#)

Kerry said that she does get the Jefferson Star to try and keep up with the county. Chairman Farnsworth appreciates her coming in and speaking on these issues.

[2:45:18 PM](#)

**Motion by Chairman Farnsworth to amend the agenda to discuss an employee notification due to them just finding out about this and need to proceed to keep staff available. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

[2:45:39 PM](#)

Kevin Hathaway comes up that Ian has taken a position in Missouri. Have spoken with Brittany who is the administrative assistant and she graduates in December and has accepted to move into the planner position. Will then have the administrative assistant position open. Would like authority to post and interview for this position. Commissioner Hancock asked if Brittany would be comfortable with this position. Kevin believes she will be very good. Has more experience and time with the codes and ordinances. This position would be moving to full-time once she graduated. Colleen asked if they will hire full-time or part-time. Kevin thinks once they interview the applicants some will have different commitments. Would like this to be full-time to get them familiar with ordinances and procedures. Commissioner Hancock said their department is all 8:00 to 5:00.

[2:50:34 PM](#)

Chairman Farnsworth believes this sounds good and bad. Hate to lose Ian but if he is moving on good for him. Kevin said that after he started this had come through much faster than he anticipated. Kevin needs to get improved for FEMA training instead. Commissioner Martinez thinks if they could have him and Jeff go for now. Kevin said they are trying to get into this class in December. Some put the burden on the applicant to get this from an engineer. They would certify the floodplain elevation and the base elevation. Would have to determine if this effects. Would be better if they had a hand in the process. Will bring this back for a signature.

## **SOCIAL SERVICES – JACKIE MAUPIN**

- **EXECUTIVE SESSION 31-874 & 74-206(D) – RECORDS EXEMPT FROM DISCLOSURE**

[2:55:14 PM](#)

**Motion by Commissioner Martinez to go into executive session 31-874 & 74-206 (D) – Records exempt from disclosure. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

Open session 3:08

[3:10:22 PM](#)

Recess

Open session 3:38

## **DEPUTY PROSECUTOR – WESTON DAVIS**

- **LEGAL COUNSEL: EXECUTIVE SESSION IC 74-206 FOR PERSONNEL, HIRING CONSIDERATION, EMPLOYEE EVALUATION AND COMPLAINTS (1)(A) & (B), PENDING LITIGATION (1)(F), OR DELIBERATIONS ON LABOR NEGOTIATIONS OR PURCHASE OF PROPERTY (1)(C) – (AS NEEDED)**

[3:38:24 PM](#)

Chairman Farnsworth asked if they have anything they need to go into executive session for.

[3:38:52 PM](#)

**Motion by Commissioner Martinez to go into executive session 74-206 (B) – Personnel. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

Open session 4:09

## **INSURANCE – CARLOS APONTE**

- **REPORTS**

[4:09:33 PM](#)

Carlos is here with reports these go through October. Feels that open enrollment went well were excited about the rates not taking an increase. Really pushed the cost containment tool to look up providers. Had a few that incurred some significant costs. Had one claim at \$144,000 and another claim at \$107,000. Had to pay the \$65,000 spec on these claims. This ate up some of the large deposits. The good news for the county is these employees have termed and are no longer on the plan. One still has until the end of the month to select Cobra. Looking at the left column at the top shows the two that have termed. On the aggregate stop loss they are sitting at ninety-four percent. Had left the aggregate factor at \$688 instead of dropping this to \$629. If they had taken the drop they would be at one-hundred two percent loss ratio. These funds are put into the account. Still think they are good. This is the nice thing with self-funding. Carlos said that the graph is still great.

[4:15:39 PM](#)

Carlos said the last thing is the bills broken out per month. Wanted to come in and give them an update. Will get an end of the year report and bring this in. This is the county's claims that have been paid out. Have not used everything that they have put in. Chairman Farnsworth said they have \$54,000 going into their fund. This is still good. Carlos would like to see this better at seventy-five percent. If they were to

fund the aggregate at a lower rate they would have been at a loss. Commissioner Hancock said the \$688 is the county's portion not from the employee. Carlos said that is correct and they are still doing good. Commissioner Hancock said when looking at the health industry this is fantastic.

[4:19:25 PM](#)

Carlos also got some information from the money were put into CD's. Chairman Farnsworth mentions these are not locked in and can pull these funds out. Carlos said he has an agreement for 2018. This is a scope of services and is the same as the last year's.

[4:20:43 PM](#)

**Motion by Commissioner Martinez to continue having Carlos Aponte taking care of the county health insurance for 2018. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

## **COMMISSIONERS**

- **EMPLOYEE RECOGNITION LUNCH – DECEMBER**

[4:22:03 PM](#)

Chairman Farnsworth said they will hold this December 19 from noon to one. The Road & Bridge employee has agreed to do the cobbler again. Rebecca said she will send out an email for dietary restrictions. Colleen asked about assignment for salads. Chairman Farnsworth said if they could get a list of items that were needed. Commissioner Hancock said some ice cream for the cobbler. Colleen said that she got him what he needed last year for the cobbler. Colleen will get with other departments on the side dishes and plates. Rebecca said they had gotten the tables from the fair board. Chairman Farnsworth said last year Mitch was happy to help. Rebecca asked about gift certificates. Chairman Farnsworth said the same as last year. Rebecca asked about any other incentive items. Commissioner Hancock said to look at service years and retirement. Chairman Farnsworth will make the arrangements with Lil Mike's.

- **ORDINANCES AND FINES**

[4:27:26 PM](#)

Chairman Farnsworth said he had put this on here due to some confusion on fines. What was the last ordinance they had just worked on. This was for access. Was this covering obstructions on the right-of-ways? Kevin Hathaway comes in from Planning & Zoning. Chairman Farnsworth said they had done a public hearing and is not sure what all was entailed on the access policy. Commissioner Hancock said they could change the misdemeanors to infractions. Chairman Farnsworth said so this would be debris on the roads. Would like to know if this was all done in the public hearing what else they have to do to enforce this. Commissioner Hancock said that Dave mentioned would like a notice in the paper.

[4:31:28 PM](#)

**Deputy Prosecutor Weston Davis is in the room**

[4:31:31 PM](#)

Commissioner Hancock said they changed ordinances to infractions. Weston said the right-of-way deal this was changed to an infraction. This was an and/or type of deal. This could be an infraction of \$150 a day. Chairman Farnsworth said if this is in place should they put something in the paper and on the website. Commissioner Hancock said that they should notify the public so they know this would be enforced.

- **MAINTENANCE CONTRACT**

[4:34:22 PM](#)

Colleen has the contract for Bryan Briggs. The only change was the monthly amount. This is \$108,000 for \$9,000 a month. Commissioner Hancock thinks this would have to be the date of the contract. Weston said there is a thirty day termination notice included. Commissioner Hancock said this is a renewal with a different price. Chairman Farnsworth asked about the date the pay changes. Weston looks at the contract. Weston said this renews year to year and this was used last time. So this was up on September 30, 2017 so renewed October 1, 2017 so operating under this contract until they give him thirty day notice. May want to clarify with him on this. If they had taken a different company there still would have been a thirty day notice. They are looking at replacing a contact with another contract. Commissioner Hancock said unless they come to some certain term could state this is effective until replaced with another contract or given thirty days then they would not have to worry about this issue.

[4:40:56 PM](#)

Bryan said he was not sure what the legal deal is. Would just figure they would sign this and have it take effect. Chairman Farnsworth said that they would have this effective December 1, 2017. Commissioner Hancock said they have already made a motion on this they just need to sign the contract.

[4:43:03 PM](#)

Chairman Farnsworth said they sent out an email to departments on items that need some attention. Would like to get a response back on the immediate concerns by the next commissioner meeting. Then if he could do a monthly report to them. Colleen will get Bryan a copy of items. Weston asked if they have an objection to adding this written language into the contract. Contract will further be terminated immediately upon renewal of this contract or effective date of new contract for this service. Go over an issue at the Sheriff's Office with the sewer. Chairman Farnsworth said even if this does not fix the problem this will put water back into the water. Will try and get to the bottom of this. Bryan has gone in with smoke to test these vents. Chairman Farnsworth said to make sure this is taken care of immediately.

- **PUBLIC DEFENDER POSITION**

[4:52:31 PM](#)

Chairman Farnsworth asked if the office is ready to go. John is waiting until they hire someone. Have they heard anything from Clark County? Colleen said they never intended to go to in on this. Chairman Farnsworth said he has also spoken with them and they were not interested. Asked the hours of operation. John said this is 8:00 to 5:00. The assistant will only be here four days. Commissioner Hancock asked how they are doing with other defense attorneys hired. They had some higher costs. John believes they would be past cases. He has not conflicted anything out since he took over. Colleen said hopefully this will level off. John would have to be appointed before he would conflict this out. Will have fewer conflicts because he has not done much work up here. This would be generated from doing prosecution on mental health commitments. Commissioner Hancock asked if they have gotten the annual conflict reports. Colleen will stay on these individuals. Chairman Farnsworth mentions staff meeting he is welcomed to come into. Rebecca has an employee action form for the person only need a name. John is grateful to be here.

- **NACO- WESTERN INTERSTATE REGION CONFERENCE CONTRIBUTION**

[4:59:39 PM](#)

Colleen got this letter from the Blaine County Commissioners. They are asking for a contribution. They could contribute funds or volunteers. Colleen offers to volunteer if she attends. Chairman Farnsworth reads that Blaine County is having to pay for the majority of this. Does not ever remember this being done in the past. Chairman Farnsworth knows that NACO is important. Commissioner Hancock does not personally think they should give \$2,500. Colleen said this is up to them. Commissioner Martinez said they are trying to offset this. Commissioner Hancock said

they volunteered to hold this here. Could do a \$500 donation. Colleen is sure they would take it. Chairman Farnsworth believes this is a valuable deal but thinks that \$500 would be plenty.

[5:05:56 PM](#) **Motion by Commissioner Martinez to make a \$500 donation for Blaine County for the NACO conference taken from commissioner contingency. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

- **SIGN CERTIFICATES OF RESIDENCY**

[5:07:55 PM](#) **Motion by Commissioner Martinez to approve certificates of residency for the College of Southern Idaho for Carter Johnson, Tony Morgan, Trent Morgan and Tate Rose. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

[5:08:08 PM](#) **Motion by Commissioner Hancock to approve certificates of residency for the College of Western Idaho for Jaron Gordon, Alexis Hepworth, Andria Hutchens, Gracie Shippen, Aubrey Yoshida and Braden Youngstrom. Will deny certificates from Branden Johnsen and Cassidy Weber. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed**

- **NEW BUILDING UPDATE**

[5:08:42 PM](#) Colleen said she got some progress status reports. This is about a week's worth on here. Received a contract on the materials testing. Weston reviewed this and had an issue on limited liability. Weston said they try to limit the amount to be the amount of the contract. Have a stop loss of \$25,000. The failure to inspect material correctly they only cover damage up to \$25,000. Weston reads what they have added into the contract. To him when they provide services this is to help cover insurance premiums. Would suggest to have this paragraph stricken. Weston said the builder could still be liable. Colleen said they could cross this out and sign and send this or she could request another one. Weston said where they have signed already they would have to have something signed agreeing to this being deleted. Weston said they could have additional insurance.

[5:15:43 PM](#) **Motion by Commissioner Hancock to approve the contract with Allied Testing & Inspection with the provision they delete item eight. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

## PAT SCOTT – CLEAVE REDDICK

- **COUNTY HISTORICAL MUSEUM**

[5:19:23 PM](#) Cleave Reddick Pat Scott. Wanted to update them on a situation with the county historical museum. Thinks that Rigby starts on a project on third base first. Knows this is located on city property. The county commission have made donations from 1993 for a ten year period of around \$57,000. This holds the history for the entire county. Feels they should be part of the discussion. Feels that the city council has already made up their minds. Pat is a local historian. Thinks that sunshine always makes any decision better. Knows in meetings that she has attended that they have already made up their minds.

[5:22:00 PM](#) Cleave is the museum curator. Goes over that the roof is failing and have water damage in two of the rooms. Have tried to get the city to repair the roof. Had voted for maintenance on the roof. In October the mayor showed up saying they will not fix the roof because they are selling the building. Used to have a lease and now that cannot be found. In 1992 the Historical Society leased the building. If the museum failed this would go back to the city upon their agreement. In 1993 the City of Rigby contributed money to the renovation. Also received other contributions from businesses in the area. In 1994 received some grants. Eighty percent of the displays are community owned. Items are being removed by the citizens. Other concern they were talking about building a building by the fair grounds. Have not been contacted on preference for design.

[5:26:15 PM](#) Pat said six weeks ago this was put on a public meeting. Had gotten the city council agenda and it said to approve the surplus of the Jefferson County Museum. Was very upset at this because the museum was her mother's life. In the meeting the mayor said this was worded wrong putting the cart before the horse. They need to get an appraisal on the property. There is a developer who wants to buy the property. Wants to pay for another building to move the exhibits to another building. Knows the Cordon property is not 11,000 feet where they have said this would be built. Knows that this property was promised to the rodeo grounds for years. Went out for bid for the appraiser. Then next meeting they reviewed the bids on the appraisal. This was supposed to be back by December 10. In the meetings she has been to that this is a foregone conclusion. This will be the best museum and it will be a wonderful thing. Wants to see some proof. Having people calling all over the place is wanting to get their exhibits out. They do not bring in the community. Chairman Farnsworth asked about the Cordon property. Commissioner Hancock said this is not a large area. Pat said the Rodeo grounds was promised this for parking. Pat said this would be multiple layer. Chairman Farnsworth asked why they are pulling exhibits. Pat said they have issues with the roof. This was budgeted for last year and was never fixed. Pat said if they are building a new museum they have not contacted anyone.

[5:34:24 PM](#) Pat thinks they will destroy the museum they already have. Thinks individuals will take their exhibits. Since they are slowing down and there has been some public discussion. From that first meeting it sounded like they would surplus this off. Chairman Farnsworth asked if they are against another building. Cleave said they would rather stay. Pat said she would also rather stay. She has lived across from this building for over sixty years. This is a local landmark in town. Wants this done right where the public understands what is happening. Does not want to hold off on this until the roof is completely ruined.

[5:38:04 PM](#) Chairman Farnsworth said they do have to look at the costly maintenance of the \$50,000 for the roof. Cleave said this has held up for twenty-five years. Commissioner Hancock asked about the lease agreement. Pat said that no one can find the lease. Went and did the research on this. The clerk does not do these types of things. Trying to locate this. Commissioner Martinez mentions would like to see the city keep this as transparent as possible. Commissioner Hancock is surprised this was not turned over to the Historical Society. Cleave said they had until recently. Pat wanted to make them aware. Feels they may not be abiding by the open meeting act. Weston said there are statutes that have creation

of the museum board. With county donations there is an exception donating to intergovernmental agencies. As for the public meeting laws these are usually looked at by either the county or the Attorney General. Not sure if this applies to cities or fire districts. This is possible that the Attorney General's Office would have to look into this. Would not be concerned about the Mayor speaking on this. Would be concerned about them pushing through these options if the conversations are being held by a quorum. As per acquisition of property there is a special existence in executive session where they can discuss this privately.

[5:44:51 PM](#) Pat said this is similar to cities in Utah. The thing that concerned them is with a meeting they all were responding about how this would be such a good deal. Maybe this is not true. Weston said his recollection is he believes this was in the paper. Pat said the article Eric did was based on the meeting. Pat said there was nothing at the last meeting about the museum. Cleave said the appraiser has already been to the building last week.

[5:47:33 PM](#) Weston said the concern is they are moving forward on appraisal and have not discussed moving to another location. Pat said she is worried that they have already made up their mind. Pat thinks they are going to exchange this building to the developer and this developer will build a new museum without any input. Weston asked if there was a vote by the city. Pat said nothing in public. Weston asked about any deeds being recorded. Pat said not to her knowledge. Weston said they could have an appraisal on this to determine to see if this is like to exchange to the public. Pat said that the Mayor believes the property is worth \$2 million. Weston said nothing has occurred. Pat is concerned that they have not informed the public. Thinks they should set up committees to come up with a solution. Weston will speak with Paul. Does not have an immediate concern that they have taken action. May need to fall on the Attorney General's Office on this but will be in contact.

[5:51:33 PM](#) Chairman Farnsworth said all they can do is call the Mayor and make sure they are transparent on everything they have done. Commissioner Martinez said he can try to attend the next council meeting.

[5:55:58 PM](#) **Motion by Commissioner Martinez to adjourn at 5:56. Second by Commissioner Hancock. All in favor – aye. Motion passed.**

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*Chairman of the Board*

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*Date*

\_\_\_\_\_  
*Clerk of the Board*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*County Clerk*

\_\_\_\_\_  
*Date*