

**JEFFERSON COUNTY COMMISSIONER MEETING MINUTES
JANUARY 22, 2018**

Meeting called to order at 9:00. Those present are Commissioner Hancock, Commissioner Martinez, Chairman Farnsworth, IT Garn Herrick, Emergency Management Rebecca Squires, Park & Recreation Mickey Eames, Sheriff's Office Mike Miller, Clerk Colleen Poole; Audrey Moon is clerk of the board. Pledge of Allegiance led by Commissioner Hancock. Prayer offered by Chairman Farnsworth.

IT – GARN HERRICK – SHERIFF'S OFFICE – MIKE MILLER

• **PHONE SYSTEM MODULE**

[9:01:31 AM](#) Garn said the phone system is out of fax lines or add along ports. The public defender would like a fax line. Also when they bring Probation, Prosecutor and Extension over these will need this. They are recommending the sixteen port. Commissioner Hancock said a lot of the new faxes do not take an analog port. Garn said the phone port is in the fax. Not sure they have the digital line attached. Mike Miller said he knows they make these. Chairman Farnsworth asked if sixteen will be enough. Garn said he would have twelve spares. Mike said the incoming lines will be fine on the fiber. Will not need additional ports for the phones.

[9:05:31 AM](#) **Motion by Commissioner Hancock to approve the analog expansion option for a sixteen port cord for \$1,975.00. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

EMERGENCY MANAGEMENT – REBECCA SQUIRES

• **LEVEE VISIT**

[9:06:17 AM](#) Rebecca said sent an email about this. On January 30 Jeff Stidham with the Army Corps of Engineers will be here with Flood District #1 and Idaho Officer of Emergency Management. Will also have emergency managers from Madison and Jefferson County. Will go out and inspect the levee system. Have identified twenty-nine points of concern and will prioritize these. These are areas damaged in the high flows last year and areas with historical concern. Because they are looking at a long run off this year again. The snow pack above palisades is running about 130 to 140 percent. Wyoming has a lot more snow. Commissioner Martinez would like to know what will happen and what the plans are. Rebecca said Bureau of Reclamation will be here next week who is responsible for the reservoir. Third paragraph describes the goals of the Army Corps of Engineers. Looking at identifying these points so if there is a request for assistance it will shorten the conversation at that time.

[9:08:49 AM](#) Commissioner Martinez said they know the points of concerns. Chairman Farnsworth reads paragraph from Jeff Stidham "What I am hoping to do on 30 January is to assess the potential imminent threat to life and property at as many points as possible with flows at the Heise gauge for flows of 20 to 24 KCFS and above 25 KCFS. That would be "Action Stage" and "Minor Flooding". Rebecca said this is kilo cubic feet per second. Commissioner Hancock said this will depend if the government opens back up. Rebecca said if they want to come they are welcome to come. Rebecca does not have a time yet but assuming it will be early. Commissioner Martinez is planning on being there. Rebecca said the county is not responsible for the maintenance of the levee this is Flood District #1. Things that would happen with a breach Flood District #1 should do what they can to fix the problem. They have a tax levy but do not have very much. Commissioner Hancock said this is only around \$5,000 to \$6,000. Rebecca said if they run out of funds they can call the Corps or they can appeal to the county. If the county helps with the levee this should be accompanied with an emergency declaration since this is outside of the norm but to protect life and property. The Corps will not get involved without a request from the county the Flood District cannot request directly. Commissioner Martinez said he is a little nervous. Chairman Farnsworth said the river ran high all year the levee is a great deal until this is saturated. Rebecca said during July the levee was losing six inches an hour along areas. Chairman Farnsworth said it has been said they are above average even without all of the snow.

[9:14:04 AM](#) Rebecca said this will be an all-day event. Have a few others meetings the next few weeks. Until February 9 she is asking approval to accrue some comp time. Will estimate this at around twenty hours. The IEMA conference will put her over. Chairman Farnsworth said they pay for travel and eight hour days during the conference. Commissioner Martinez said if this is needed then it is okay. Rebecca will burn this off pretty fast. Will keep them informed on the meeting times on January 30.

COMMISSIONERS

• **SIGN CERTIFICATES OF RESIDENCY**

[9:16:39 AM](#) **Motion by Commissioner Hancock to approve certificates of residency for the College of Southern Idaho for Jayson Bloxham, Savannah Burton, Courtney Cox, Aleena Cross, Wyatt Dansie, Reily Decker, Clara Do, Barrett Durtschi, Spencer Foster, Kaylee Fried, Ryker hall, Macady Hanson, Rebecca Hernandez, Nancy Kowalczuk, Mikah Lowe, Jace Merkley, Kolby Mortensen, Israel Olavesen, McKray Poole, Brooklyn Raymond, Timothy Roos, Olyvia Saathoff, Tory Terry, Kassandra Willford, Joseph Wood and Resa Young. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

[9:17:30 AM](#) **Motion by Commissioner Martinez to approve certificates of residency for the College of Western Idaho for Alexis Barry, Eric Beltran-Mendoza, Sadie Boyce, Brianna Brown, Trinity Charlesworth, Parker Godwin, Kaden Harper, Shannon Hornberger, Kamren Larsen, Orlando Magana, Margarita Montoya, Sadie Mogleston, Bailey Newton, Tessa Petersen, Jacob Rodriguez, Cami Spencer, Trey Talbot and Keilani Trude. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

- **NEW BUILDING UPDATE**

[9:18:36 AM](#) Colleen provides a progress report. Chairman Farnsworth said they had a progress meeting and they are on schedule. Have the walls going up. Commissioner Martinez said there were some footings that were off schedule. Chairman Farnsworth said the materials should be arriving this week. Commissioner Hancock said the concrete wall will be done around February 7. Then will start the basement slab.

- **APPROVE COMMISSIONER MEETING MINUTES**

[9:25:50 AM](#) Motion by Commissioner Martinez to approve commissioner meeting minutes from January 16, 2018 with noted change. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.

[9:26:58 AM](#) Recess until 10:00

Open session 10:01

PARK & RECREATION – MICKEY EAMES

- **JEFFERSON LAKE CAMPGROUND GRANT**

[10:01:11 AM](#) Mickey will be submitting for the grant it is right close to \$300,000. Got everything ready to be submitted. This had to be in a public forum so there can be public input. Did an article that will come out in this week's paper.

[10:10:39 AM](#) Motion by Commissioner Hancock to authorize the Park & Recreation Department to proceed with a sound barrier wall and the fire pits at the Jefferson Lake by applying for this grant. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.

- **JEFFERSON LAKE WATER DISCUSSION**

[10:02:38 AM](#) Larry Stevens called from the North Irrigation Company asking if they want to fill the pond earlier with excess water since this would help recharge the aquifer. Would have to have Road & Bridge come in and put in a culvert. Commissioner Hancock said this will come from the south side and go along the north. Will have to go under the road. Mickey thought that Road & Bridge could do this and this would be nice to fill the lake sooner. There would be no strings tied to this water. This is a better way to get some water sooner. Chairman Farnsworth said this runs to the southeast corner of the lake property. Mickey said this is along the wood fence. Would like to put this down as deep as possible. This is where the dog off leash area is. This would be a good way to fill this sooner since they have extra water. Chairman Farnsworth asked how big of a culvert. Mickey said they would want to come to the end of the road. Commissioner Hancock draws a diagram to describe where this is located. Mickey wants to come under the ditch to the road so this is not open along the path. Chairman Farnsworth thinks this would be a good way to move water. Commissioner Hancock thinks that would be a good way to get water is buy rights from the North Irrigation Canal Company.

[10:08:17 AM](#) Mickey asked if they could contact Larry. Commissioner Hancock said he can talk to him on what type of agreement they will need then they can run this past Weston and have an MOU written up.

APPRAISER – JESSICA ROACH – TREASURER – KRISTINE LUND

- **TAX CANCELLATIONS**

[10:11:53 AM](#) Jessica was unable to be here so Cody Taylor is here instead. Cody said they have three parcels where they were occupancy on the new rolls. There were some errors made when the properties were put on the rolls. More value was put on than should have been. Need to cancel some taxes on these three parcels. This is a mistake that Jessica found. Cody said the first is Craig and Sharla Ashby on parcel #RP007580050010 for \$167.04. (Exhibit A)

[10:14:11 AM](#) Motion by Commissioner Hancock to approve the tax cancellation for \$167.04 for the Ashby property parcel # RP007580050010. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.

[10:14:40 AM](#) Cody said the next one is for Jory and Caralyn Drake on parcel #RP04N39E047840 for \$112.94. (Exhibit B)

[10:14:51 AM](#) Motion by Commissioner Martinez to approve the tax cancellation for Jory and Caralyn Drake on parcel #RP04N39E047840 for \$112.94. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed

[10:15:49 AM](#) Cody said the last one is for Tony and Andrea Rigby on parcel #RP07N33E093000 for \$45.85. (Exhibit C)

[10:16:24 AM](#) Motion by Commissioner Hancock to approve the tax cancellation for the Rigby property parcel #RP07N33E093000 for \$45.85. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed

SOCIAL SERVICES – JACKIE MAUPIN

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

[10:18:53 AM](#) 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.

[10:24:59 AM](#) Prosecutor Paul Butikofer is present

Open session 10:25

[10:26:29 AM](#) Recess

Open session 11:05

[11:04:50 AM](#) Deputy Prosecutor Weston Davis is in the room

Commissioner Meeting Minutes

January 22, 2018

DEPUTY PROSECUTOR – WESTON DAVIS

- **ROBERTS FIRE DISTRICT ANNEXATION**

[11:05:30 AM](#) Colleen said she put this on so that Weston could explain his research. Weston said he was not here on how this was presented. Before the deliberate as a district there is a requirement they have seventy-five percent or more of the homeowners that were willing to be annexed in. If they had the seventy-five percent and had a hearing. Not sure they provided publication with time and place of a hearing. Chairman Farnsworth said they did not see anything but they said they had a hearing. Weston said another concern the statute needs an accurate legal description of the annexation territory. Had some parcel numbers but no legal description. From what he saw they could reference the township section range number. Commissioner Hancock thinks the map had this. Weston said the map does but what they submitted did not. Part of the concern with those twelve sections the problem with this they would never know what was annexed in once this is reordered. Bringing a map is good but they need a complete legal description. Whether they can amend their process and include this would be on their legal counsel. Feels satisfied with what was presented. They would be covered under the legal. If they had the right number of applicants. These were the legal issues he was concerned with. Wanted to make sure they presented everything in the statutes that were required to present. If they did not have the seventy-five percent they would have to go to a vote and this is completely different action they would have to take.

[11:11:07 AM](#) Commissioner Hancock thinks another issue they were wanting to annex some ground that was part of the Hamer Fire District. To do this they would have to have a vote between Roberts and Hamer Fire. Weston said there is another statute that covers city annexation. Think his concerns were making sure this was all properly presented. Thinks they would need the legal description. Colleen said they had told them they were to do a resolution and an ordinance. Weston says there would be an order of annexation. This is more about a notice issue. His suggestion even though it is more expensive they could have an ordinance because then they would be covered. Idaho Code 31-1429 allows the county to do these by ordinance or resolution but this is when another fire district is involved. The one for this case is silent on the order. Trying to think of an instance on where they would need an order. This is for the taxpayers that is why they have to have super majority.

[11:15:05 AM](#) Commissioner Hancock said these individuals are in no man's land. They were not covered. Weston said when the statute is silent they still have to hold a hearing and have this published. If there is an accurate legal description then they would ratify what has already had a public hearing. Still issuing an order of annexation and where everyone has already had a chance to speak they could add this onto a resolution. This is done by order and they have already had a hearing and the due process rights have been giving they could do the same form with a resolution. If Roberts Fire wants to come back into the next meeting and provide them the order with a correct legal description. Weston said this is their proposal to the county. Does not want to record a map because they cannot see the correct legal. Weston said they would need to have their attorney call and get this moving. Commissioner Hancock said then they would have to do a resolution to adopt this in.

[11:19:22 AM](#) Weston said another thought once this has all occurred the Board of Commissioners shall enter an order. Then they will have this recorded with a resolution. Colleen will contact Roberts Fire and get their attorney to call Weston.

- **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)**

[11:20:09 AM](#) 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 12:14

COMMISSIONERS – PUBLIC WORKS – DAVE WALRATH

- **ANNIS HIGHWAY PROJECT DISCUSSION**

[12:14:38 PM](#) Dave said this project was in the Transportation Plan from 2007. Commissioner Hancock said it took ten years to get brought to the front. Dave said right now they have a consultant that is doing project development design and work. Weston asked if they could change the order of these and deal with the other issues first.

- **HOPPER SANDERS - CLAIM**

[12:16:33 PM](#) Dave would like to issue a new claim and pay for this out of capital equipment. This was his mistake. He is too into the routine of calling items maintenance parts. Was not trying to hide anything. They are using the sanders. Heard from Brian Helm this is a huge improvement. Chairman Farnsworth asked if they would take them back. Dave said probably not since they have used them. Chairman Farnsworth would prefer to take this money to buy bigger ones. Commissioner Hancock said he has thought of this he sees the need for the bigger ones but thinks they need these as well. Chairman Farnsworth has seen a Bobtail. Dave said Madison County has sliding sand containers in the trucks. These are bigger than the Bobtail and the trucks. Take the tailgate off and they get strapped in. Commissioner Martinez thinks the sand boxes are a convenience thing. Chairman Farnsworth sees this pickup running back and forth to the shop and putting this kind of weight in the back of these. They are cheaper at \$4,500 instead of \$15,000.

[12:19:47 PM](#) Commissioner Hancock thinks there is a place for these. Thinks they will have to move into Bobtail sanders but this will take some bucks. Dave said they have a lot of needs as far as equipment goes. Chairman Farnsworth asked if they have a sander on the westside. Dave said they have a bigger one and a hopper sander. There are four vehicles on the east side and two on the westside. Chairman Farnsworth did not check on the vehicle from Kimberly. Would prefer before they could try and see if First Street Welding would take these back. Commissioner Martinez asked if they made these. Commissioner Hancock said they are the dealership on these. Chairman Farnsworth would like to see if they can take these back realizes there may be some rent on these. Not sure if the state has any surplus and ready to go. Thinks they will be replacing pickups. Dave said they are really handy in subdivisions. Are they best application probably not. For what they do they work pretty well. Would they like to transition to something else? Yes.

[12:23:37 PM](#) **Prosecutor Paul Butikofer is present**

[12:23:45 PM](#) Dave said if they do not have the sanders then the plows on the front are worthless. Commissioner Hancock thinks they could keep these and then work toward transitioning. Commissioner Martinez prefers the Bobtails as well. Commissioner Hancock said he does as well but have to think about the process. Dave said the individuals that drive these pickups are the supervisors. Who would they put in these other trucks? Chairman Farnsworth thinks the pickups are still necessary to check roads. He is just not leaning toward these little sanders. Commissioner Hancock said he would like to proceed now and look forward on a plan. Dave said they have a lot of equipment needs. Chairman Farnsworth said they definitely need a couple Bobtail trucks. Dave said they budgeted for two graders. Pending the FEMA money. Commissioner Hancock said they could approve this as a ratification and really start planning. Commissioner Martinez thinks they could check with First Street Welding. Commissioner Hancock thinks they will be resistant on taking these back. Chairman Farnsworth thinks they may want to work with the county. Knows at some point they will have to make a move on these. Would like to see if they will take these back and what they would give us. On the Bobtails would not want a full size plow. Dave said the ones that City of Idaho Falls runs do not have plows. Chairman Farnsworth asked if First Street sells a medium size plows. Dave said usually these come from Utah. Chairman Farnsworth does not want to give these back if they ding them half price.

[12:29:45 PM](#) Commissioner Hancock said they could have Dave go call First Street Welding after they take care of the next issue.

- **PORTABLE REPEATING TOWER**

[12:30:21 PM](#) Dave said when they are out working on roads they have battery powered radios for the flaggers. These become less reliable once the batteries are drained. In interest for safety for the guys on the road wants to come up with something when they are paving and chip sealing or whenever they use flaggers. Went to Teton Communications to see how to fix this. Came up with a mobile repeater that would be put in a pickup. Park this within the limits of the project they are working on. This dramatically increases the two-way radios.

[12:32:10 PM](#) Weston wanted to talk about this before any contracts when they increase services they are asking a provider that the commissioners are in line with the contract. Even with an increase if they change anything in the contract. Whenever they deal with service contracts if they change those they need to be signed and approved before they move forward. Because a department cannot bind the county so the contracts need to go to the commissioners. Do not want departments to go and get into these since they do not have the authority to bind the county.

[12:33:47 PM](#) Chairman Farnsworth said this is a portable tower that sits in the pickup. How much is this. Dave said \$5,340. Chairman Farnsworth said they have two channels on their radios now. This is \$5,340 for the towers but does this increase the monthly fee. Knows that Mitch has a monthly fee. Dave said no other fee and in addition to the safety at times when they are out doing a project there is not any room to talk on the radio. It is constant all day. If Solid Waste needs a radio to talk to the scraper operator in the pit. Chairman Farnsworth said there is not monthly fee and would have channels one and two.

[12:36:26 PM](#) **Deputy Prosecutor Weston Davis leaves room**

[12:36:41 PM](#) Dave said it is frustrating using these handhelds and not being able to communicate. This will be a solution for that problem.

[12:37:11 PM](#) Commissioner Martinez mentions knowing how things perform since he had done plenty of traffic control never ran into these problems. If they wanted a short band they would turn to channel one. Anyhow he does not know he thought they worked pretty good. Dave said if they took a poll about ninety percent would say they have issues with these. Any battery powered devices lose their juice. Commissioner Hancock said a good handheld radios are expensive. Paul mentions if they are made aware of a problem and do not act they are more liable.

[12:40:44 PM](#) Chairman Farnsworth asked if this is needed. Commissioner Martinez said he never had an experience where this ever put anyone in danger. Knows that Kerry and Roxann did not like all of the chatter that was going on. Dave said this was more about reliability.

[12:42:08 PM](#) Dave said when they called all of the employees together they had safety enhancements as a big concern. Chairman Farnsworth thinks if this is a safety feature then he is all for this. Commissioner Martinez thinks they have to look to make sure this is for safety and not fluff. Chairman Farnsworth thinks they need to look out for safety of the employees and public. Dave said his professional opinion is this is needed.

[12:44:58 PM](#) **Motion by Commissioner Hancock to approve the purchase of the portable repeating tower from Teton Communications for \$5,340. Second by Chairman Farnsworth. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – nay, Chairman Farnsworth – aye. Motion passed.**

- **ANNIS HIGHWAY PROJECT DISCUSSION**

[12:46:22 PM](#) Dave goes back to the LHTAC. Chairman Farnsworth said they will go back to this and then during the public hearing Dave can check on the hopper sanders. Dave said on this they review the invoice billings. If they are okay with this they pay the amount of the invoice then it goes to ITD and they review this and then they get reimbursed 92.66%. This first invoice is for \$9,297.04 then the state will reimburse them 92.66% of this amount. The agreement for design was \$123,500 so that is what the consultant estimated the cost would be for the entire design. The county would be on the hook for 7.34% of \$123,500 a total of \$9,064.90. The obligated construction amount will be about two million. So the county will be on for around \$140,000 of that. Paul asked what this is on. Dave said this is a pavement rehab from Annis Highway to 600 N. Chairman Farnsworth said this is from City of Rigby to Lorenzo Highway. They will fix the bridge and make this more of a gradual curve.

[12:49:33 PM](#) Dave said he does not have a budget line for this. The local makes the payment then has to have a reimbursement after the state reviews this. Thought they could use general to use this. The hit will be about \$9,000. Once they get into production they will be in better shape. Chairman Farnsworth asked if they can do this. Colleen said if they put this back into general. Paul said 100% comes out then they get 92.66%. Chairman Farnsworth said it makes sense. If they pull this from general and it goes back in minus the 7.34%. Commissioner Hancock thinks this makes it better putting this back into general. Colleen said if they took it from Road & Bridge it goes back to him but cannot put it back into a line. Dave said he has never done one of these projects. Commissioners discuss roads.

[12:54:19 PM](#) Dave said this is supposed to be a 2020 production. Chairman Farnsworth thinks the funding is the holdup. Dave said not sure they heard on the surplus eliminator. Some type of clerical error where this did not make it into the budget. Had \$27 million left out. Trying to remedy this by passing a bill to restore this. Commissioners look through the budget. Only the contingency has that amount of money. Commissioner

Martinez asked how soon they need to pay for this. Dave said this will be paid now. Chairman Farnsworth said they have others and miscellaneous. Colleen said it may be best to take this out of contingency so they are not out of funds in the others and miscellaneous later.

[12:57:52 PM](#) Prosecutor Paul Butikofer left room

[12:58:37 PM](#) Motion by Commissioner Hancock on the LHTAC Annis Highway Project to authorize the design work to be taken from fund #1-18-0526-0000 and will be reimbursed back into this fund at the 92.66%. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.

PLANNING & ZONING – KEVIN HATHAWAY – BRITTANY SIMMONS

- **PUBLIC HEARING – ADMINISTRATIVE PLAT – GEORGE NEWBY**

[1:00:18 PM](#) Brittany comes up they want to request to postpone this public hearing until March 26.

[1:03:10 PM](#) Chairman Farnsworth said they will put this public hearing into recess until March 26 at 1:00.

[1:11:02 PM](#) Recess

Open session 1:25

COMMISSIONERS – PUBLIC WORKS – DAVE WALRATH

- **HOPPER SANDERS - CLAIM**

[1:25:11 PM](#) Dave got ahold of First Street Welding these are special order items that they will not take back. Chairman Farnsworth said it sounds like they do not have any other option. Need to move toward bigger. Dave said claim total \$9,237.56.

[1:26:23 PM](#) Motion by Commissioner Hancock to ratify the purchase of two hopper sanders for \$9,237.56 from First Street Welding to be taken from Road & Bridge capital equipment fund. Second by Chairman Farnsworth. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – nay, Chairman Farnsworth – aye. Motion passed.

[1:27:25 PM](#) Dave said thank you. He will get them information on some slide-in sanding units.

[1:27:22 PM](#) Motion by Commissioner Hancock to adjourn at 1:28. Second by Commissioner Martinez. All in favor – aye. Motion passed.

Chairman of the Board

Date

Clerk of the Board

Date

County Clerk

Date