

**JEFFERSON COUNTY COMMISSIONER MEETING MINUTES  
APRIL 9, 2018**

Meeting called to order at 9:00. Those present are Commissioner Hancock, Commissioner Martinez, Chairman Farnsworth, Prosecutor Paul Butikofer, Court Clerk Heather Andersen, Clerk Colleen Poole; Audrey Moon is clerk of the board. Pledge of Allegiance led by Commissioner Martinez. Prayer offered by Chairman Farnsworth.

**COURT CLERK – HEATHER ANDERSEN – CLERK – COLLEEN POOLE**

• **AFFIDAVIT**

[9:01:42 AM](#) Colleen said that Heather has a part-time job with a bank. They are asking that she read this affidavit on record before the commissioners detailing that she will not take any cases pertaining to them.

[9:02:52 AM](#) Heather Andersen reads affidavit "I Heather Andersen having been duly cautioned and sworn hereby state the following based upon personal knowledge: I am a member of the Magistrate Court Clerks with Jefferson County. I am also an employee of KeyBank National Association ("KeyBank") and serve as a Part time, on call teller. KeyBank and KeyBanc Capital Markets Inc. ("KBCM") are each subsidiaries of KeyCorp. I am not an officer or employee of KeyCorp. I own stock in KeyCorp, which represents less than .1% of the outstanding shares of that company. In connection with my commencement of service with Jefferson County Magistrate Court Clerks I am providing notice of my association with KeyBank and plan to withdraw from all decisions and deliberations related in any manner to matters related to KeyBank"

[9:03:43 AM](#) Colleen said this work is not done on county time. The bank just asked that this be on record and have requested a copy of the minutes.

**ELECTIONS – SHONNA ALLRED**

• **DESIGNATE POLLING LOCATIONS – PRIMARY ELECTION**

[9:04:30 AM](#) Shonna needs to present the polling places for the May Primary Election. Chairman Farnsworth has the list of locations reads these locations. Have Annis at the Menan LDS Stake Center. Clark at the LDS Church in Clark. Garfield at the Farnsworth Elementary. Grant at the LDS Church in Grant. Hamer at the Hamer Elementary. Labelle at the LDS Church in Labelle. Lewisville at the Lewisville Community Center. Lorenzo at the Jefferson County Courthouse. Menan at the Menan City Hall. Monteviu at the LDS Church in Monteviu. Rigby 1 at the Rigby City Hall. Rigby 2 at the Rigby Community Center. Rigby 3 at the South Fork Elementary. Rigby 4 at the Jefferson School District Office. Rigby 5 at the Rigby East LDS Stake Center. Rigby 6 at the Idaho Transportation Department. Rigby 7 at the Rigby South LDS Stake Center. Ririe at the Ririe Sr. Citizens. Roberts at the Mustang Event Center and Terreton at the Terreton Sr. Citizens.

[9:06:16 AM](#) Shonna said they also have absentee voting available in the office at the end of April. They mail out ballots to those that have requested and offer curbside voting if necessary.

[9:06:43 AM](#) **Motion by Commissioner Hancock to approve the designated polling locations as read for the Primary Election. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

**PARK & RECREATION – MICKEY EAMES**

• **RESOLUTION #2018-12 – SALE OF ITEMS AT PUBLIC SURPLUS AUCTION**

[9:07:33 AM](#) Mickey said this is to sale a 2007 Suzuki Vinson 500 4-wheeler. They just replaced this with the one they bought from Mitch. There will also be the hard tires from the backhoe. Mickey did not write a resolution up she can go and do that. Commissioner Hancock said this needs to be advertised in the local paper. Mickey said this will all be done through Mitch.

[9:09:02 AM](#) **Motion by Commissioner Martinez to approve resolution #2018-12 for sale of items for Jefferson Lake. Second by Commissioner Hancock. Chairman Farnsworth said this resolution will be brought back later to sign. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

• **CITATIONS**

[9:10:08 AM](#) Mickey shows a copy of what the citations would look like. Did show this to Weston he had her add their address so they will be easier to find. There will be a lot of warnings given in the beginning of the season. It will not be paper size this will be a ticket book with three copies. Will have CPS print these off so they can stay local. Chairman Farnsworth asked if this has been approved. Mickey said they have not yet. Had this reviewed by Weston before she brought these in. Paul asked if they did and/or for a vehicles illegally parked. Would give them the option to give a ticket or tow the vehicle. Mickey said the Sheriff did not want her to issue fines on vehicles. Prefer her to call dispatch and have the vehicle towed.

[9:14:18 AM](#) Chairman Farnsworth said the main thing will be the dog off leash.

[9:15:04 AM](#) **Motion by Commissioner Hancock to approve the code and ordinance notice and fine schedule for the Park & Recreation Department. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

• **EXPENDITURE APPROVAL**

[9:16:07 AM](#) Mickey brings up approval of the purchase of the backhoe from Road & Bridge. Commissioner Hancock thought they did this already. Mickey said this was discussed. Heard about it and had spoken with them.

[9:16:31 AM](#) **Motion by Commissioner Hancock to approve the transfer of the backhoe from Road & Bridge to Park & Recreation with a transfer of \$7,000 to go toward a new loader for Solid Waste. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

[9:17:46 AM](#) Recess until 10:00  
**Open session 10:00**

## **DISTRICT 6 ENGINEER – JASON MINZGHOR**

### **• STATE HIGHWAY 48**

[10:00:28 AM](#) Jason said the main point is to go over the projects for the upcoming season. Mark Layton has put together a QR code if they wish to scan this with their phones. The Iplan where they keep all of their projects. Shows a PowerPoint of all the projects and years they will be done. In the upper northwest part of the county in 2018 they are having a seal coat. On I-15 they will have a reconstruction of the ballast. On Highway 48 there are three projects. In 2020 shows the intersections on 4000 and 4100 they will construct turn lanes. In 2020 from Roberts to Ririe will have a seal coat. In 2023 from Roberts to Ririe will be widening and putting in rumble strips. Jason said this will not be the entire roadway there will not be enough funding. Commissioner Hancock asked why they are doing a chip seal on 48 when it needs repaired. Commissioner Martinez said this is falling apart not sure a seal will be enough.

[10:05:55 AM](#) Jason agrees but they are pushing up against funding. Trying to glue this together for now. The main focus is Highway 20. Major project will be Ashton to Chester making this four lanes. Chairman Farnsworth asked about the speed bumps on Highway 20 by Sugar City. Mark said the maintenance crew will be taking care of those this year.

[10:07:57 AM](#) Mark goes over all of the dots they can click on. Will be doing the concrete planking on the railroad crossings. Provides a general total for projects. Commissioner Hancock said on the shoulder widening from Roberts to Ririe thinks they should work on the road before they widen this with rumble strips. Jason said they are doing this for area to pull over. Brings up the roundabout up on Stockham. This is much larger than the one on Hitt. Went down to Doug Andrus trucking and laid this out with configurations and made several tweaks with them driving around this. Jerry Whitehead is the Chairman of their board who was against this until they worked on the design with Doug Andrus Trucking.

[10:12:22 AM](#) Commissioner Martinez mentions he was here for the presentation. Could see the semi-truck going around the peanut. Have noticed in Idaho Falls they are constantly being hit and there are wrecks. This looks like it will be better than what is in Idaho Falls. Had asked about the four and five axle trucks. Was told they took this into account.

[10:14:05 AM](#) Commissioner Hancock asked why a light would not work. Jason said they are too close they would not have enough storage. They would have to put in several lights that would have to work together. State likes these half a mile apart. Really jams up the local street of Stockham and Farnsworth. Commissioner Hancock said they could make Stockham a straight through. Chairman Farnsworth said at present it looks like this might be the best idea. Jason said this will keep the traffic moving. It will be safer for those turning left.

[10:16:48 AM](#) Mark said there are people waiting for so long they just pull out. Commissioner Martinez when speaking with Ben who did the presentation if this is just a Band-Aid would rather not have this. Will have a lot more traffic in the future. Wants to know if this will accommodate the traffic flow in the next twenty years. Jason believes this will last. Doing this to the full size that they believe is needed. Will be advertising this project as soon as possible. Have submitted the design and are ready to advertise this in the papers.

[10:19:00 AM](#) Jason goes over on Highway 48 spending \$9,663,860 over the next few years. Commissioner Martinez is with Commissioner Hancock thinks they really need to spend some of this money to actually fix the road. Commissioner Hancock said that the roads are deteriorating and the shoulders have been that way for years. Jason said it is a struggle. Is there any opportunity for the state to donate this road to the county. Looking to see if there is any appetite for a transfer and what would it take. Right now they have five schools. Not functioning as a state highway. They are getting a lot of requests for access and they are trying to maintain this as a state highway.

[10:22:23 AM](#) Chairman Farnsworth said they have a lot of dilapidated roads as it is. Commissioner Hancock said this is twenty-four miles. Jason said could be possible with reconstruction of the road. Have \$9 million available and can go and get local money from LHTAC. Commissioner Hancock said they can talk to them but their funding is so far in the future.

[10:23:48 AM](#) Dave asked the sufficiency rating of the bridge. Jason does not have this with him. Commissioner Hancock said this was updated recently. Dave asked for the latest inspection report. Commissioner Hancock asked when this was resurfaced. Mark said they repaved from the tracks to Ririe somewhat recently not sure on the year. Chairman Farnsworth said he would be in favor if they had funding to put this back into a better condition.

[10:25:56 AM](#) Jason has left his cards if they have any questions or concerns give them a call. Sometimes they have equipment they can use if needed.

## **PUBLIC WORKS – DAVE WALRATH**

### **• UPDATE**

[10:27:31 AM](#) Dave provides them a copy of a letter on the chips they are getting from the State. Has another agreement from the Department of Corrections that need signed. This is from their Human Resources Department. This is still for picking up garbage at the landfill. Does not believe Weston has looked at this other agreement.

[10:29:59 AM](#) As far as the crew had Russell Forbush reconsider and is going to stay with the county but Juan Talavera did quit so they did still loose an employee. Out working on 3500 E around 200 N. There is a pipe they are going to excavate out. Chairman Farnsworth asked how many guys are on this project. Dave said about ten. This is for the overlay that will start next month. Then 3800 will be done after school is out.

[10:32:19 AM](#) Chairman Farnsworth asked about the fuel tanks. Dave said he is waiting for Straight Arrow to finish the aprons. Waiting for two more quotes for the fuel system. Commissioner Martinez said if it is going to cost \$40,000 to put this system in they may have to stay with how they are doing this now. Chairman Farnsworth said the price of fuel is going up and is going to continue to climb. Would like these plumbed in and filled up. Has been a two year project. Dave said they were asked to get more bids and that pushed them out of using two separate budgets. Chairman Farnsworth thinks a \$40,000 system is too expensive. Dave said right now they do the honor system and write this down on paper. Commissioner

Martinez asked who would bid on this. Dave said Leonard is the only one available locally. Commissioner Martinez asked who they would have available to fill these up. Dave said they have Conrad & Bishop, Berry and Valley Wide. Commissioner Hancock said they also have Ike's. Commissioner Martinez said if Valley Wide is adding the tax up front he would prefer to not use them. Dave said this is how they handle their bookkeeping.

[10:36:01 AM](#) Dave said they received another FEMA payment. Rebecca said they have gotten four. Dave said at one of the meetings asked for all of the cell phone numbers and names and provides this copy.

[10:37:09 AM](#) Paul has been reviewing the financial plan for the work camp asks is this only four days. The other agreement does not have a beginning or ending date added. Not sure if they currently have an older one that has been signed. Dave said he will get this back to them to make that change.

[10:38:41 AM](#) Dave said they had also requested their fuel records. Provides copies of these. Commissioner Martinez asked on the tanks would they both be diesel. Dave said initially he had thought in the long-term vision to have one diesel and one unleaded. Looking at offering this to other departments by having this available with a keycard. These are 12,000 gallon tanks. A tanker and pup are usually 8,000 gallons.

[10:41:19 AM](#) Dave brings up the excavator rental. Chairman Farnsworth said they tore a mirror off of this. Knows they took this back had ran into the Rep. Dave said they also had a mishap with Kirt's 140M grader. Got the grader blade caught in the door and mangled the door. Thinks they can submit this to ICRMP for an insurance claim so will cost \$1,000. The blade can tip forty-five degrees he should have had the door shut. Needs a whole new door believes this is still an insurance claim.

[10:43:17 AM](#) Rebecca provided the information on the checks received from FEMA. This is just the Federal share. They state only pays for actual costs. Commissioner Hancock said they received \$81,000, \$9,000, \$64,000 and \$29,000. Chairman Farnsworth asked the total. Rebecca said the total is on the sheet from the disaster have ten percent required from the county. Have to certify the projects are complete and will get actual cost for the State. Commissioner Martinez asked if someone from the state will come to certify this. Rebecca said they will look through the actual receipts and compare with the Federal costs. Will work with Mike Clements on this on the details. Commissioner Hancock said roughly has received \$180,000.

[10:46:35 AM](#) Chairman Farnsworth said they can beat the issue on the excavator to death where they have already expended the money. Dave said he believes this is a rental not a lease with policy stipulates purchase or lease. Chairman Farnsworth said they own an excavator if the landfill is going to use a dump truck and front end loader believes it is fair trade to use their excavator as fair trade that is how they fix the comingling of funds. Thinks they earned the use of this. Dave said they do use this if they are doing a single pipe but this was a month long. Chairman Farnsworth said they could have this back on the weekends. Dave said then they would have to haul it back each week. Chairman Farnsworth said that it might not have had to go back every week. Dave said this is used several days a week. This is not the first time they had done a rental. Chairman Farnsworth believes they need to stay on top of these. Dave provides a record of rental invoices from the last couple of years. They rent double drummer roller for paving also a large CAT excavator to repair damage from the flood last spring. Chairman Farnsworth said that would have been reimbursed so this makes sense. Double drum roller makes sense cannot roll pavement with what they have. Leased another one for years. Dave said if policy says they cannot rent there nothing was said about all of these other rentals. Chairman Farnsworth said they rented a drum roller the big roller with tires rented this sat for a solid month paid \$5,000 and never turned the key. This was before Dave's time. Rent this equipment and it sits over there. Dave feels he is getting blamed for things that have happened. Seems like in the paper he does. Chairman Farnsworth said he does not write the articles. Feels they are renting and having items sit.

[10:49:49 AM](#) Dave asked if they have a problem or question with a claim asked that they could call him before they throw him under the bus. Feels that is common courtesy. Chairman Farnsworth said this comment came with legal. Did not feel they needed him here explaining why he leased a trackhoe when they were going over the policy with legal. Dave said there is nothing in the policy about leasing. Chairman Farnsworth asked that if he could have come in ahead of time. Dave asked for the common courtesy to be asked to come in that is what he had just said. Chairman Farnsworth asked the other commissioners to chime in.

[10:51:19 AM](#) Commissioner Martinez mentions that is why they ask him to come in with an update and have the preplanning for the week. The culvert on Spring Creek that was replaced wants him to thank the guys they got this work done fast. Dave said using this big excavator got this done. Commissioner Martinez said down from this same culvert this took four days to complete. Dave said that when working with water sometimes things happen and water can be unpredictable. Commissioner Martinez said he was there and believes this culvert was done wrong. Things are different now they are trying to make sure things are done correctly. Do not want to jeopardize the county to be obligated to pay for items that are not needed. Dave asked for an example. Commissioner Martinez said the excavator agrees with Chairman Farnsworth that if they preplanned with solid waste. Dave said he had brought this up in prior meetings. Commissioner Martinez said they never discussed price. Chairman Farnsworth said they have this weekly update going over what will be done and what they need. Commissioner Hancock said in Dave's defense had brought up renting an excavator. After the meeting he had gone and seen if they could use a backhoe. Was told that they did not think they could. Asked if they could use the one out from the landfill. Knew this because he personally went to him after the meeting. Commissioner Martinez said that is great but he spoke with the guys working on this. Bruce told him was better to work with the trackhoe with a thumb on this. Need to preplan every Monday. Commissioner Hancock said the price was not discussed. Dave said this was the least expensive of the ones he got quotes on.

[10:54:26 AM](#) Dave thinks it is interesting just gave a letter from ITD where they granted \$150,000 worth of gravel for \$1,500 but a \$5,000 item becomes a huge issue. Chairman Farnsworth said this is not just the excavator. Had the sand boxes for \$9,500 which are worthless in his opinion. Have the radio tower for \$5,000. In last six months spent \$20,000 without any approval. Dave said he got \$150,000 worth of gravel without approval too. Commissioner Hancock said in the policy it was not required on a rental they have to let them run their department. Cannot micromanage the department. Chairman Farnsworth said they are not micromanaging but they are managing that kind of money. They are elected to manage the money. Looking at the audit the cash is trending down and the expenses have trended up for the last three years. Paul interjects that they are all getting off of topic. Chairman Farnsworth said they are and this all started with the excavator. This is all water under the bridge they already spent

this money. Asks that he brings up items that will be coming up when he comes in for his updates to see if they have this equipment or need to get it.

- **CHIP SPREADER**

[10:56:44 AM](#) Dave said that Geffs Manufacturing had stopped by and given some quotes on some chip spreaders. These two machines have expandable heads so they can go twelve to sixteen feet. Could use impact dollars. Shows a payment plan. Commissioner Hancock said they only use these for about two months a year. Dave said these are hard to rent because they are in high demand. Not asking for approval today just wanted this on their radar. Commissioner Martinez brings up a roller. Dave said they will be renting a roller again this year. Commissioner Hancock asked how much a used one would be. Dave thinks about \$100,000. Have a lot of equipment needs.

### **SOCIAL SERVICES – JACKIE MAUPIN**

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

[11:00:22 AM](#) Motion by Commissioner Hancock to go into executive session 31-874 & 74-206 (D) – Records exempt from disclosure. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.

Open session 11:15

### **COMMISSIONERS**

- **EXECUTIVE SESSION 74-206 (B) – PERSONNEL – EVALUATIONS**

- \* NOXIOUS WEEDS & INVASIVE SPECIES

- \* PUBLIC DEFENDER

[11:15:32 AM](#) Motion by Commissioner Hancock to go into executive session 74-206 (B) – Personnel - Evaluations. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.

Open session 11:58

[11:58:57 AM](#) Recess until 1:00

Open session 1:00

[1:01:04 PM](#) Prosecutor Paul Butikofer is not in the room

### **PLANNING & ZONING – KEVIN HATHAWAY**

- **PUBLIC HEARING – ZONING MAP AMENDMENT**

[1:01:16 PM](#) Chairman Farnsworth said that they have a public hearing. Allows Kevin to give the staff report.

[1:01:40 PM](#) Kevin said that this was applied for on December 6, 2017. First public hearing was on January 4, 2018. Tabled the hearing on January 4 and reconvened on February 1 for some questions regarding legal issues. Reconvened on February 1. Staff findings said these are contiguous to an R1 zone. Shows the general position of this property on the map. Located adjacent to an R1 zone. Appears that all surrounding area is an R1 zone other than the two undeveloped lots. Kevin said this had been R1 zone before trying to change the two parcels that are around five acres a piece. Wants to change these to R1 to have additional marketing options. Planning & Zoning Commission had asked how this affected the zoning adjacent. Found that this was more compliant to the surrounding zone as an R1 zone. Planning & Zoning Commission had also asked if this was spot zoning with R5 and R1. Generally spot zoning does not become an issue unless there are two different zones. These are both residential. After these questions were answered the Planning & Zoning Commission made the motion to recommend approval of the change from R5 to R1 zoning.

[1:06:05 PM](#) Chairman Farnsworth said there is no one here for a rebuttal. Kevin said there is no one signed up. Chairman Farnsworth said there is no one signed up in favor, neutral or against. Closed the public hearing portion and moved toward deliberations. Feels this looks straightforward. Commissioner Hancock said the concern of the Planning & Zoning Commission was to make sure this was not spot zoning and that it was contiguous ground that was R1. Seems to meet all of these requirements. Did not see any immediate neighbors that had any issues. Kevin said that some of the neighbors did support the change in a previous hearing.

[1:07:42 PM](#) Motion by Commissioner Hancock to ratify the Planning & Zoning Commission recommendation to approve for Karin Fry and Pierre Savkranz on parcels #RP04N39E330609 and #RP04939E330601 changing this from R5 to R1. Second by Commissioner. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.

- **AUTORIZATION OF FEE WAIVER**

[1:08:55 PM](#) Kevin said for conditional use permit fee is \$450 to change from previous owner to the new owner. They check to make sure the conditional uses are being followed. This came up and is a hardship situation. Is a family a son and daughter-in-law moving their parents into a trailer that is an adjacent location. Doing it to take care of family with health issues. Felt it was appropriate to waive this fee because it may not be necessary in this situation. In the future should make a provision in the conditional use renewals for similar situations. May be able to change this to \$100 fee to cover their cost of doing an inspection. Does not want to burden someone with this fee. That is not their goal.

[1:11:02 PM](#) Commissioner Hancock said if he understands correctly the individual who owns the property is new not the homes. Kevin said they are new owners purchasing the homes. The new owner is buying a mobile home next to a home. Chairman Farnsworth said a conditional use permit allows them to live there for now but then this trailer has to go away. Kevin said this is on 3700. Commissioner Hancock said the trailer is

already there. Kevin said this is all in place they are just buying the property because it suits their needs. They came in intending to pay this but he felt that this may be something to have a discussion on. Commissioner Hancock thinks they need to correct this for the future.

[1:13:19 PM](#) Kevin said this is how he approaches this on a fee refund wanted to come in and talk with them. Feels it should be per case basis. May not need input on all of these but until they come up with something they will bring them in for them to consider. Kevin said they will make sure the conditional uses are being met. Commissioner Hancock said they could change this to \$100. Kevin said this is up to them. Chairman Farnsworth said they need to go through the steps to change it for the future.

[1:17:00 PM](#) **Motion by Commissioner Hancock for tax parcel #RP005200010240 and #MH005200010240 that they reduce the conditional use permit application on this basis to \$100. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

- **COMPLIANCE**

[1:18:23 PM](#) Kevin said this compliance has been an ongoing issue they have talked about it. Have been working on this as they can. Have corrected a few situations. Needs a person and a position to do this more effectively. Found a line in the budget where they can fund this position. Has not spoken with Weston about this but believes the funding source is there. Colleen said this is a consultant line so it would not be a salary line. Would have to have this as a contractor with no benefits. If they offer benefits then they are not a contractor. Kevin said they have \$60,000 in the consultant line. Commissioner Hancock thinks this was added in the budget because there was a cost to update the Comprehensive Plan. Colleen said they would have to figure the amount they have to decide what they could pay and for how many months.

[1:20:51 PM](#) Chairman Farnsworth said if they offer this as a contract then they could maybe use it as a probation period until they could bring them on board full-time with a salary. Kevin said this may be hard to find someone this way. A lot of times they have to offset their costs to fund their own insurance being a contractor. Colleen said if they hire someone they would have to have a salary line. This would make it so they have to open the budget and there are costs involved there also.

[1:22:06 PM](#) Commissioner Hancock said it would be around \$13,500 for five months with benefits being around twenty to thirty percent of this would bring them to around \$16,555. Colleen said if they open the budget they have to have the revenue to cover this.

[1:24:12 PM](#) Chairman Farnsworth would not mind contracting one but they would have to provide their own benefits for five months. Has to be someone that can withstand the position. Have seen some comments floating around that they are getting tired of the mud being drug out onto the Highways. Kevin does not think he even realizes all of the benefits this will bring. Will centralize this function. If he did not think this was imperative he would have waited for the budget process. The office took seventeen permits last week. This could be the best month if it continues this way. Has a folder full of complaint files. When they go out for inspections they are finding additional issues. Will continue being a problem until they address this.

[1:27:19 PM](#) Commissioner Martinez asked if some of the officers are looking for extra jobs since they already have benefits. Kevin said this is different than a law enforcement issue. Not their approach to have contentious situations. Dealing with a problem and coming up with a solution. Will be ongoing. Chairman Farnsworth said they are looking at options so they do not have to open the budget. Colleen said have to be careful with salary lines because these cannot go over. Will have to sit down and see if they have enough. Then they can figure out when they can bring this person on and at what rate.

[1:31:58 PM](#) Kevin said this is an ongoing situation. Spoke with the Sheriff and believes this will be the proper day to handle this. Chairman Farnsworth said then they do not have to keep up with all of their rules and regulations. Kevin asked what he needs to do to keep this process moving.

[1:33:22 PM](#) Commissioner Hancock said looking at Idaho Code it does not say they cannot use another budget line for salaries. Colleen has always been told they cannot. Will have to check with Weston. Chairman Farnsworth thinks they collectively agree to continue research. Commissioner Hancock said a problem may be in the payroll system and the way it is set up. Had called Computer Arts but have never heard back on some of these issues.

## **APPRAISERS – JESSICA ROACH – PAT KELLEY**

- **CAUSALITY LOSS – TAX CANCELLATION**

[1:37:29 PM](#) Jessica said the causality loss is not a tax cancellation this is for this year. Are reducing the value. This home caught on fire on March 21 and it was a total loss. The house was standing for seventy-nine days so they derived at a value for the days it was still standing. At the bottom cannot give an exact value because the land can change until June. Applicant filed the correct paper for this. It is not a tax cancellation because this happened before the fourth Monday in June. This is a heads up explain to them why they are reducing the value so much.

- **SITE IMPROVEMENT EXEMPTION**

[1:41:20 PM](#) Jessica provides Idaho Code. Has to be the original developer that has spent money to update the subdivision to be eligible for this exemption. Commissioner Hancock said this only applies to lots that have not been sold. Jessica said that is correct they have to be the original owners of the lots. Jessica said they had been growing pumpkins but with the covenants in place they can no longer apply for the ag exemption. Jessica said they have put in some paved cul-de-sacs and have electrical boxes. Will continue working on this.

[1:45:40 PM](#) **Motion by Commissioner Martinez to approve the site improvement exemption for parcels as listed below for Rudy Acres Subdivision. (Exhibit A) Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

- **FIVE ACRES AND UNDER - AG**

[1:47:34 PM](#) Jessica said there are few that may be questionable. Chairman Farnsworth said this is odd cannot exempt a saddlehorse but a racehorse counts. Jessica said if this is to be sold for a for profit enterprise. Has provided a schedule F. Jessica asked what they would prefer a copy of a check, bank statement or a schedule F. Commissioner Hancock said a schedule F shows they produced this income. Commissioners review.

[2:02:29 PM](#) Commissioner Martinez said they did not approve the mules because they decided this was a commercial venture. Commissioner Hancock said that the IRS is showing that they treat horse racing as a business so it would not qualify for an ag exemption.

[2:05:02 PM](#) **Motion by Commissioner Martinez to deny the ag exemption for under five acres for Peggy Cope for parcel #RP08N33E255590. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

[2:05:40 PM](#) **Motion by Commissioner Martinez to deny the ag exemption for under five acres for Kathy Stewert for parcel #RP08N33E255690. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

[2:06:11 PM](#) **Motion by Commissioner Hancock to approve the ag exemption for under five acres for Lane Steel for parcel #RP04N39E157050. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

[2:06:45 PM](#) **Motion by Commissioner Hancock to deny the ag exemption for under five acres for John Erickson for parcel #RP04N38E167780. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

## **INSURANCE – CARLOS APONTE**

### **• EMPLOYEE WELLNESS DISCUSSION**

[2:09:12 PM](#) Carlos is here when they first decided to handle new hires is they would be place in the non-participated rate. At that time they had two to three new hires a year. If these employees come on now they pay the higher premium. Have had a lot of turnover in the past year. More questions being asked about this decision. Told individuals that he would come speak with the commissioners and if they want to change this they could. Have spoken with Marilyn and Colleen. A lot more work for Marilyn and Matt. Would have to have Marilyn notify Matt and meets with them and get their election. Would have to contact the employee more.

[2:11:44 PM](#) It is more of a risk when they first set this up because wellness works over a period of time. Colleen said one did get a wellness exam from a physician would the county have to pay for this because they paid for other employees so feels it opens up a cost issue.

[2:14:10 PM](#) Carlos said they could offer thirty days to be tested from the time they are eligible and Matt meets with them. Could have the testing available through Express Labs. Have this being a condition they use this location or they pay for the test. Would also have them do the SOAR wellness assessments. Only will allow them to do this within thirty days so they be put at least in the medium category. Just wanted to present this for them to consider. Marilyn did tell him there has not been a lot of push back on this. This last month is the only time he has ever had calls on this. Would be a lot more work for both Marilyn and Matt. Has to look at both sides where they are waiting an entire year to get a reduced rate.

[2:18:40 PM](#) Commissioner Hancock said they also want to think of the employee. Tammy Adkins said that she had one of these individuals it is actually \$1,200 a year the employee did not get because the insurance is taken twice a month. Had two employees that fell into this. Carlos said they are eligible after thirty days. Sometimes Marilyn is notifying them around five to ten days before they are eligible. Has to hurry and meet and only has a few days to meet and have an answer.

[2:22:36 PM](#) **Deputy Prosecutor Weston Davis is in the room**

[2:22:36 PM](#) Chairman Farnsworth asked what would be the best solution. Carlos said another solution would solve all the problems would be to not test them but place them on the lower premium would solve all of the administration problems. Commissioner Hancock said they could have them tested before the thirty-day probation period starts. Carlos said the issue is the way this is set up if they can fix the notification by the time they notify Matt they are already past the thirty days. If they hired and had this information earlier enough they could. If they hired on the 25<sup>th</sup> of the month they have until the first of the next month before they are eligible. Not sure when Marilyn knows that the individual has been hired. Colleen said that Marilyn should meet with the employee on their first day. Carlos said the other option they can add them to the lower premium until the next testing cycle. Then this does not hurt administratively with Matt or Marilyn but then have to worry about the risk. Tammy said they could compromise and have them put on the medium premium so that Marilyn and Matt do not have to mess with testing or changing any other information. Marilyn comes into discussion.

[2:26:45 PM](#) Carlos asked Marilyn on new hires if they could get information to them on being tested before payroll. Marilyn said this is thirty days on the following month but they deduct the month prior for coverage. So if they are going to be covered in May this is taken out of the checks in April. Colleen said it has to be effective the first of the month following the thirty day probationary period. Carlos said they have a probation period of thirty days but the effective day is always the first day of the month. Marilyn said they deduct two payments in the months prior so that the employee has paid for the service ahead of time.

[2:29:58 PM](#) Carlos asked if they can do the payroll deduction later and take this out of their last check if they ever left. Marilyn said some providers want that payment. Carlos said the county floats the employee the first month but then take this out of the last paycheck. Would allow them more time to offer the employee testing. Would still have to have a deadline. Do not want to have Marilyn having to change the payroll twice once when they start and again a month later. At the end of the cycle would have to take this from the last check. Tammy said if they do the medium premium then they all are willing to compromise. Carlos does like this does not help with the high risks. Could have someone come in with a stage two issue and they are not catching this. Tammy said if they have a new employee starting cannot send them over until they start. Marilyn said could send over their contact information. Could send over the personnel action form. Tammy said prior to the day they start. Carlos thinks this would be helpful. Marilyn said payroll is bi-weekly. Colleen likes going to the medium scenario. Carlos thinks adding the testing will help catch something for an individual that has not been to a doctor recently. Carlos asked if the first day they are hired offer the thirty days. Carlos said if they continue with the payroll deduct a month prior this will still be an issue. Commissioner Hancock said they could do this before they are hired. Marilyn is worried this would be discriminating. Chairman Farnsworth said they could show them the benefit of testing early. Marilyn asked who would pay? Chairman

Farnsworth said they could pay for this if they do not want to be in highest category. Looking at how to eliminate extra work but help the employee from paying more. Carlos likes the medium. Would still have to have a timeline if they offer the testing option. Carlos said they need to go to Express Labs because this is \$60 if the county pays for this. Colleen said if they go to our lab the county would pay for it but if they go to their own doctor then they should pay for it. Carlos said that timing is the issue. A lot of companies have a longer probation period like sixty or ninety days then they would have a lot of time. Marilyn said they are covered sooner so this may offset paying a higher premium. Carlos said this was made a decision because there was not a lot of turnover. Have been having a lot of turnover recently. Does not have a hard recommendation.

[2:38:43 PM](#)

Commissioner Hancock thinks if they want the lower they should do this before they are hired. Chairman Farnsworth said if they do not then they could go to the medium. Tammy said if they are high risk this mute at this point if they are compromising going with the medium premium. Carlos said they could have these individuals test before they start by paying for this themselves. Colleen said sometimes they hire on Friday and start Monday. Tammy said the departments could get the new hire information in sooner. Thought that they should send them over on their first day. Could get the personnel action form as soon as the individual is hired. Chairman Farnsworth said they need to come up with a plan on this. Carlos said he will be back in two weeks to do reports. Chairman Farnsworth said this is department head meeting. Carlos can change his time and come at 9:00 to discuss this during staff meeting. Chairman Farnsworth said this is good to help make this more attractive for the employees.

[2:44:49 PM](#)

Carlos mentions that Weston had reviewed the thing for outside reporting. Asked if this was ever reviewed. Weston made some suggested changes and they who sent it back to Zywave they made these changes and had sent it back to him. Will bring this back in a couple weeks when they review the reports.

[2:50:41 PM](#)

Recess

**Open session 2:57**

## **COMMISSIONERS**

- **NEW BUILDING UPDATE**

[2:58:13 PM](#)

Commissioner Hancock brings up the court ramp runs to the east it will be to nowhere once they are done. Talking about moving this and making stairs. Will change the ramp to go west. Will have a change order and will need to get some pricing. Discuss door and who has access. Chairman Farnsworth checks that there are four doors. Colleen thinks it would be better to not have a door going that way. Tammy said the Judge does not want them to have access. Chairman Farnsworth said the one door going behind will be for employee access and will be locked and have key card access. Tammy goes over only having access to the Probation part of the building so that they cannot go and hide in the stairwells. Commissioner Hancock will discuss this with the architect next week. Commissioner Hancock said they will be laying the block next week have a question on the box for what kind of security system would be used. Garn said that they have used Omni in the past but this would be the Sheriff's Office decision probably John Wolfe. Chairman Farnsworth believes the Sheriff may be using someone else. Garn believes that was for security cameras.

[3:04:46 PM](#)

Chairman Farnsworth said they need to find some hard hats so they can start looking around.

- **EASTERN IDAHO PUBLIC HEALTH – APPOINTMENT BALLOTS**

[3:05:12 PM](#)

Colleen provides ballots for the commissioners to fill out.

- **PURCHASE OF USED CELL PHONES**

[3:06:21 PM](#)

Colleen said they were contacted by PaceButler who buys used cell phones. Mostly wanted to run this by them. Send the phones to them if they are worth anything they send a check. Garn had looked at this did not have any issues. If they get a new employee they usually receive a new phone. Asks if this is something they would want to do. Commissioner Hancock said all they would need would be a resolution. Tammy said she also has some phones that is why she is here. Asked if there was anywhere local that offers this. Colleen does not know of any. Can get with Tammy and do one resolution. Chairman Farnsworth said they wipe these clean and probably turn around and sell them. Colleen said if this is alright she will do a resolution.

- **SIGN CERTIFICATES OF RESIDENCY**

[3:11:05 PM](#)

**Motion by Commissioner Hancock to approve certificates of residency from the College of Southern Idaho for Talon Anderson, Shaelyn Bell, Sadie Boyce, Brianna Brown, Hannah Burke, Megan Clements, Kyler Coles, Creed Cox, Teresa Do, MaKenlee Drollinger, Rebekah Gunderson, Kade Hall, Maycee Hammon, Indy Hanson, Taylor Hendricks, Saul Hernandez, Kristine Jackson, Tabrie Killan, Kamren Larsen, Michale Lesperance, Malachi Olaveson, Kelson Peterson, Maci Quigley, Tyler Skidmore, Angelina Smith, Parker Snedaker, Spencer Steel, Gabriel Surens, Wyatt Taylor, Jared Wood, Nathan Wood, Cami Yearsley and Quinn Young. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

[3:12:10 PM](#)

**Motion by Commissioner Martinez to approve certificates of residency from the College of Western Idaho for Preston Ames, Presley Archibald, Joshua Bingham, Hannah Bird, Nicole Campbell, Tayler Davis, Taylor Davis, James Develli, Teresa Do, Thomas Dunn, Erick Friesen, Ty Hancock, Jacey Hawke, Taten Hawkes, Jared Jenkins, Warren Lemmon, Masten Merrill, Pace Nelson, Amedeo Pancotti, Kyson Parkinson, Treydon Richey, Hunter Sessions, Angelina Smith, Samuela Taulanga, Jacob Wiseman, Jared Wood and Nathan Wood. Will deny Nathan Lindstrom due to lack of residency. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

- **APPROVE COMMISSIONER MEETING MINUTES**

[3:15:57 PM](#)

**Motion by Commissioner Hancock to approve commissioner meeting minutes from March 26, 2018 with noted change. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

**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)**

**3:17:36 PM** Colleen has a concern not sure they can change the budget to move this from line because this is locked. Discussed opening a salary line not sure how could move the line where this is locked. Colleen said it locks he budget so she cannot change this. Garn said that Computer Arts requires documentation saying they can go in and change this and lock it again. Weston said Idaho Code 31-1605 talks about adjustment ability that commissioners have. Have the ability to adjust this if unscheduled revenue comes in. The annual budget procedure should be complied with. This is the only statute he can find that talks about adjusting the budget. Seems this can be adjusted as long as they are not adding a tax. Seems to him as long as they followed the budget procedure and procedure doing this by resolution then they do not have individuals moving outside of their budget. Should have some type of record showing this change. Colleen said if they did this by resolution and had Computer Arts move this to a salary and benefits line then they could lock this. Not increasing the budget. This is already in the budget just moving it to a different line.

**3:20:23 PM** Chairman Farnsworth said they will not have any tax or levee change. Just reallocating money in the same department for a different use. Will need to determine how much the use will be for five months and the amount. Colleen said they could figure out the amount they need and then go from there. Kevin asked when they would do this. Commissioner Hancock said they need to take the amounts and the benefits. Colleen said they will figure this and could have a resolution ready for next week. Commissioner Hancock said they need to make a motion to authorize this. Kevin asked if they can start advertising the position. Chairman Farnsworth said this was discussion was unofficially tabled. Weston said that a new position not sure they would have to inform the public. They are not hiring or binding anyone. Kevin said they will advertise this for two weeks. Colleen said that will give them time to have a resolution presented.

**3:26:15 PM** Weston said salary administration policy requires commissioners to review and complete the personnel action form. Then have to submit this to HR.

**3:27:20 PM** **Motion by Commissioner Hancock to authorize Planning & Zoning to look for a code compliance individual. Will give authorization to proceed at this time and will follow the administration policy with the necessary documentation. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

**3:30:21 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 3:43

**3:43:54 PM** **Motion by Commissioner Hancock to amend the agenda to discuss the levee issue for the flood group. This has just happened and has continued with the flows or water. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

**3:44:40 PM** Deputy Prosecutor Weston left room

**3:44:53 PM** Rebecca provides a document this is the preliminary on the levee assessment this is a draft document. Had Commissioner Hancock present along with Dave Walrath. This shows what the concerns are on the levee. This is a foundation step and are planning on working on rehabilitation later this fall.

**3:46:09 PM** Chairman Farnsworth said that right now they are at 16,000 at Heise, 14,000 Lorenzo, 19,500 at Menan. Palisades will increase to 18,000. Chairman Farnsworth said they talked about Palisades when they did and they assured us that everything was fine. Rebecca said with 20,000 at Heise they are mostly okay. Will have some levee impingement out at Lorenzo. Mostly will be alright. Streams in Menan will run. Mike Walker Boat Dock will be soggy. Anything over 20,000 is when they need to worry. Commissioner Hancock said they looked at the levee Friday and there was still room at 16,000. Did not think they would have a problem per Gary Wilcox. Not sure how much they will pull down the dry bed. Commissioner Hancock said they have a big stream going into the lake. Rebecca said on Friday there was a gauge that was messed up. Commissioner Hancock said this will be up to 18,000 tonight. Rebecca said it is supposed to be warmer tomorrow. Commissioner Hancock said they have been out and talked to them. Rebecca said they are a lot earlier than the 1997 flood. They are dumping so they can take water coming in but can keep this at 18,000 to 20,000 and not push over. If they run into this in May and June then the risk of flood is higher. Commissioner Hancock said the flood of 97 they dumped 30,000 out of Palisades. Rebecca said that the levee is in good shape now with the work that was done last year it has made a difference.

**3:52:00 PM** Commissioner Hancock said that Gary was going to look at all of the levies. Reminded him they had to spend their money first before coming to the county. Rebecca said if they do come to the board asking for money they need to make sure they review their financials to make sure they have exhausted their funding. Unless there is a disaster declaration they cannot touch the levee. Chairman Farnsworth does not want to see any of the citizens flooded. Need to have the flood districts do some work first. Rebecca said the flood control district has to go through the county that goes to the state and the state talks to the Corps. Rebecca said the state asked her to send some sand bags out to Clark County so sent 5,000 of these.

**3:57:09 PM** **Motion by Commissioner Martinez to adjourn at 3:56. Second by Commissioner Hancock. All in favor – aye. Motion passed.**

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*Chairman of the Board*

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*Date*

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*Clerk of the Board*

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*Date*

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

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