

**JEFFERSON COUNTY COMMISSIONER MEETING MINUTES
JUNE 11, 2018**

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

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)**

[9:01:17 AM](#) Motion by Commissioner Hancock to go into executive session 74-206 (F) – Legal. Second by Commissioner Martinez.

Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.

Open session 9:48

[9:48:59 AM](#) Deputy Prosecutor Weston Davis left room

ROBERT MAYFIELD

- **ACCESS TO JEFFERSON LAKE – (ACTION ITEM)**

[9:49:40 AM](#) Robert and Diane Mayfield also have a neighbor A.J. Argyle and sons present. Robert reads letter (Exhibit A) "Dear Commissioners; We, Robert and Diane Mayfield, would like to request gate access to Rigby Lake from our residence at 3985 E 480 N. Background: The lake and its wonderful facilities was and is a major reason why we purchased our home in July of 2015. The Rigby Lake property borders our entire backyard. When we moved in, we had access to Rigby Lake through a less than desirable, yet well-established path with no barrier. We used that access for the first year and a half with no issues or complaints to us about our access to the lake. We have purchased a family pass and several walking access passes each year since we moved in and with the improved access plan to continue to do so. When we were confronted in 2017, regarding our accessing the lake through our property, we were told that the issue wasn't us, but all the college kids and others not from our area who were accessing the lake from our yard. We were told we would need to go around like everyone else. The road 480 N has multiple blind curves, does not have sidewalks for our children and grandchildren and driving is often impractical as lines at the front gate extend beyond 480 N requiring us to turn south and execute a U-turn at some point south of our street in traffic. We also enjoy lake attendee parties and activities right in our backyard, on Saturday morning's with loud speakers and evenings occasionally until as late as 10:00 pm. We viewed this as an acceptable give and take when we had access to the lake. Our proposal: We would like to construct a simple access, combination lock gate, in conjunction with A.J. Argyle our neighbor to our immediate east, along the boundary between our homes and the Rigby Lake property. We would be happy to pay for the gate and give you the code, allowing your camp host access, when we are not home, to retrieve errant balls which find their way into our yard somewhat frequently from the volleyball court some twenty feet from the existing fence. We, the Mayfield's and the Argyle's, would construct and fund the gate and would request access for our immediate families, children and grandchildren. We will ensure they have proper lake access identification with them when on lake property. If we have other guests, we will advise them if they want to go to the lake they will have to get there through the front gate first to obtain proper access. We will work with you to find a mutually acceptable place for the gate. If a problem arises, we will gladly meet with you again to find a suitable resolution to that problem. Our request: Allow us to construct a simple, single access combination lock gate, acceptable to all parties; Mayfield's, Argyle's and Jefferson County. This gate will be funded by the residents and approved by Jefferson County. Given adequate time, installation would begin and be completed in 2018. We will happily submit to reasonable requirements established by Jefferson County. We are good members of the Rigby community and we support the community with our taxes and our purchasing habits. Again, we love it here and plan to remain in Rigby. We appreciate your kind consideration of our request. Thank you very much for your time. Robert and Diane Mayfield"

[9:53:08 AM](#) Commissioner Hancock said he would like to hear what their lake manager has to say. Robert had spoken with Mickey and was told that they would have to come to the board. Chairman Farnsworth said in the past they did not have a good fence and people would roam back and forth. Robert said they constructed a fence this is about thirty feet from the lake corner to where the volleyball court is they would still use the same fence. This is not any more secure than it was before. Commissioner Hancock asked if people cut through their property. Robert said they used to.

[9:55:25 AM](#) Commissioner Hancock thinks this is reasonable if they maintain that they will have lake passes. Diane mentions they would provide the combination to the camp host as well to be able to go and get lost volleyballs.

[9:55:58 AM](#) Chairman Farnsworth said they do not see an issue as long as this does not become a public access. Robert said they purchase a pass every year. Diane said they have always bought passes. Commissioner Hancock does not see an issue. Robert said they would ask the county to finish fixing the fence and they would put in the gate.

[9:58:18 AM](#) Diane said the loud activities at the lake with volleyball games they felt it was a give and take and feels this would be a benefit for them. Mickey said the problem would be having the gate and having it be free access. Robert said this would have a combination lock. Diane said the camp host could have the code. Chairman Farnsworth said if this was abused then they could shut this down.

[9:59:36 AM](#) Commissioner Martinez feels this does set a precedence for the rest of the residences that line up to the lake. Would rather everyone went through the front gate. Mickey said they were having major issues last year and that is why this became such a big issue. Robert appreciates the fence they put up this helped keep individuals from coming through their yard. Chairman Farnsworth said if they provide this and they take advantage of this then it would have to be shut down.

[10:02:29 AM](#) Mickey asked how they monitor other families that do not have passes. Robert said they included this in the proposal they would ensure access only for immediate family. Would ask other guests to go to the front gate to receive proper access. Mickey knows they say this but they do not have time to monitor it. Still have some issues with this. Know they all wanted to do this but they did not have permission from the board.

[10:04:51 AM](#) Robert is trying to make this right and go through the right steps. Commissioner Hancock said he does not see an issue. Mickey is still unsure who will patrol this. Robert said if they have their grandchildren they will all have their walk-in tags. Robert said this is a nice facility.

[10:05:52 AM](#) **Motion by Commissioner Hancock will grant the Mayfield's and Argyle's access into Jefferson Lake based on the letter with their proposal. Will have a gate and locking system that they will have access too. Second by Chairman Farnsworth. Commissioner Martinez believes they should all go through the same access that is why he is against this. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – nay, Chairman Farnsworth – aye. Motion passed.**

[10:07:40 AM](#) Robert asked how they will go through with this. Commissioner Hancock said they will need to get with Mickey. Mickey said they may need a better fence. Chairman Farnsworth will come out and look at this today after the meeting to decide what the best action is.

PARK & RECREATION – MICKEY EAMES

- **ARBOR TECH CONTRACT – (ACTION ITEM)**

[10:08:36 AM](#) Mickey said what she was thinking of going ahead and terminating the maintenance contract with Arbor Tech. Not doing the things they are supposed to be doing. Had a worker out there that had no idea what to do. Could weed whack but needed lists and someone constantly telling him what to do. Need someone that knows what they are doing. Worked with Jed and they did not send out this individual again. Sent another man out and he has been amazing. Knows how to handle things. Some issues with sprinkler systems have come up and they are being charged for these. Felt since they do sprinklers and can handle the repairs believes this should be part of their maintenance.

[10:11:10 AM](#) Chairman Farnsworth said the expectation of the contract is to maintain what they already have. Mickey expected this to be part of what they do. Contract says maintenance as she sees such as mowing, watering and fixing sprinklers. Need to hash this out with a contractor. May need to write these items into the contract. Chairman Farnsworth said that they can bring him out when he comes out to look at the fence.

[10:13:00 AM](#) Mickey said she does not like the way they are speaking with her. If Chairman Farnsworth want to come out and meet with them later today that is fine. Just needs a solution.

IT – GARN HERRICK

- **ANNEX LOW VOLTAGE BIDS - (ACTION ITEM)**

[10:13:33 AM](#) Garn said this is the latest proposal from Twisted Technologies and BPS for the annex wiring bids. (Exhibit B) They were both okay with combining these jobs. Everything that is bid on is identical now that they combined these bids. Happy with how close the prices came back in. Commissioner Hancock said they only have \$16 difference between the two bids. Commissioner Hancock said that Twisted Technologies is the low bid. This will be for 2018/2019 budget. Commissioner Hancock said this will need to be budgeted could be in the new building but would rather Garn budget this so they do not miss this and they know this is covered

[10:16:14 AM](#) **Motion by Commissioner Martinez to approve the bid for the annex low voltage wiring for Twisted Technology for \$60,983.18. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

PUBLIC WORKS – DAVE WALRATH

- **UPDATE**

[10:17:27 AM](#) Dave said the paver is fixed. Will not pave today with the colder temperatures and wind. Will be going back to HK the mix design for the State Highway project was giving them fits so they will be able to get them mix. Will work on 3500 tomorrow. Hauling cinders to 100 N in the areas where this washed out. Put some bigger pipes in as they recall because they had some minor washouts. Finishing on the FEMA stuff today.

[10:18:58 AM](#) Solid Waste have an operator who is being promoted to the mechanic. This will be Oscar. Commissioner Martinez asked his qualifications. Dave said he has worked on a lot of machinery. Was not a requirement to be certified for the position. Will send him to some vendor provided trainings as they come up. Has over ten years of experience. Dave said if they lose an engine this is usually beyond their capabilities anyway. Sees this as a maintenance position. The shop is his to clean up and do as he sees fit. Needs items cleaned and greased daily. Commissioner Martinez asked if he can weld. Dave said he can. Will still be situations when he could possibly need help. Some of these items can get heavy.

[10:21:34 AM](#) They hired an individual to be an operator. He is young but has experience on equipment. Commissioner Hancock said they never had anyone apply for the summer position. Dave said they had two applicants and they already received jobs by the time they called them in for interviews. Commissioner Hancock has spoken with a few that are looking will send them to talk to him. Dave advertised this position at \$10. Chairman Farnsworth asked if that is what they are paying Wendell. Dave said they are paying him his wage he was at before he retired. Will be driving a Class A CDL truck. Commissioner Hancock said the temp workers will not be driving truck. Dave said they will need their flagger cards.

[10:23:40 AM](#) Dave said they have a verbal agreement with Miles Anderson on the right-of-way for the state project. Will ease congestion here at certain times of the day. Commissioner Hancock is concerned on 4000 how do they even get on there. Dave thinks once the grade school is built a lot of this traffic will turn on Yellowstone. Have asked the School District to do a traffic impact study. Commissioner Martinez saw them putting the counters out on Highway 48. Dave said that 200 will be affected at certain times of days. Commissioner Hancock asked about the lake road. Dave said that Mitch sprayed this but they have not bladed the shoulders yet.

[10:28:23 AM](#) Commissioner Martinez asked if the mechanics are in on Fridays. Dave said yes they finished the paver this Friday. Commissioner Martinez asked if George is out on the durapatcher. Dave said he is out in Hamer.

COMMISSIONERS

- **NEW BUILDING UPDATE**

[10:29:55 AM](#) Chairman Farnsworth said they have the walls up. Commissioner Hancock said they are putting the decking on. Will be finished with the blocking by the end of the week. Worried about the damage that the scaffolding did. Chairman Farnsworth does not believe this is structural just looks. Commissioner Hancock will get with them. Will start pouring the floor once the block is done. Still on schedule had asked for two rain day delay.

- **APPROVE COMMISSIONER MEETING MINUTES – (ACTION ITEM)**

[10:32:37 AM](#) Motion by Commissioner Martinez to approve commissioner meeting minutes from May 29, 2018. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.

- **APPROVE CLAIMS – (ACTION ITEM)**

[10:33:25 AM](#) Recess to review claims.

Open session 10:57

[10:58:01 AM](#) Commissioner Martinez asked on a solar charger for Road & Bridge on page eleven. The other one is the driver's education for \$300 with A+ Driving. Chairman Farnsworth said this is from Probation as an incentive program. Some will be camps this was for driver's education. Commissioner Hancock called Dave to check and see what a solar charger is. This is for the spray off area. Keep this battery on there to keep it charged. This is where they spray the back of the trucks out.

[11:03:28 AM](#) Motion by Commissioner Martinez to approve claims from 5/29/2018 to 6/08/2018 for \$306,823.66. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.

PUBLIC DEFENDER – JOHN STOSICH

- **CONFLICT PUBLIC DEFENDER – (ACTION ITEM)**

[11:05:33 AM](#) John is here to speak on their conflict public defender. Commissioners made a motion that the primary choice was Andre Lawson. Judge Crowley is the one that does most of the conflict assignments. Is giving more cases to the other auxiliary council. Would like to be allowed to present some research and may consider having someone else as a primary choice. After they get some information they may contact Mr. Lawson to see what steps they need to take. Had spoken with Mr. Davis earlier and they would like to get some specific instances. Will present these later in an organized way. Would they approve him doing some investigation into the services in the contract? Commissioner Hancock said they have the other conflict options as well. John said they want to take some formal steps. John said that Judge Crowley has made some changes on these appointments. Does not want the county that provides these services to put the defendants in a bad position. Thinks the Public Defense Commission would want them to move forward in this direction.

[11:10:34 AM](#) Motion by Commissioner Hancock to give authorization for the Public Defender to do an investigation on the action and services that are being done by the conflict public defender. 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**

[11:10:37 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.

Open session 11:35

- **APPROVAL OR DENIAL OF INDIGENCY APPLICATION – (ACTION ITEM)**

[11:35:43 AM](#) Motion by Commissioner Hancock on case #2011-64 will do a lien release and agree to a reimbursement for the balance due on this case. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.

[11:36:34 AM](#) Motion by Commissioner Hancock to adjourn at 11:37. Second by Chairman Farnsworth. All in favor – aye. Motion passed.

Chairman of the Board

Date

Clerk of the Board

Date

County Clerk

Date