

**JEFFERSON COUNTY COMMISSIONER MEETING MINUTES  
SEPTEMBER 17, 2018**

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

**SOCIAL SERVICES – JACKIE MAUPIN**

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

[9:01:46 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.

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

Open session 9:06

**ELECTIONS – SHONNA ALLRED**

- **DESIGNATE POLLING LOCATIONS – GENERAL – (ACTION ITEM)**

[9:06:23 AM](#) Shonna is here to designate the polling locations for the general election. Are designating the polling locations for November 6, 2018. **(Exhibit A)** These are all of the precincts plus the absentee that allows for mail out ballots or they can vote in the office. Chairman Farnsworth reads the polling locations.

1	Annis	Menan LDS Stake Center	698 N 3600 E Menan
2	Clark	LDS Church in Clark	198 N 4300 E Rigby
3	Garfield	Farnsworth Elementary	305 N 3700 E Rigby
4	Grant	LDS Church in Grant	3431 E 100 N Rigby
5	Hamer	Hamer Elementary School	2450 E 2100 N Hamer
6	Labelle	LDS Church in Labelle	4223 E 528 N Rigby
7	Lewisville	Lewisville Community Center	3451 E 480 N Lewisville
8	Lorenzo	Jefferson County Courthouse	210 Courthouse Way Rigby
9	Menan	Menan City Hall	664 N 3530 E Menan
10	Monteviu	LDS Church in Monteviu	2413 N 800 E Monteviu
11	Rigby 1	Rigby City Hall	158 W Fremont Rigby
12	Rigby 2	Rigby Community Center	110 N State Rigby
13	Rigby 3	South Fork Elementary	327 N 4100 E Rigby
14	Rigby 4	Jefferson School District Office	3850 E 300 N Rigby
15	Rigby 5	Rigby East LDS Stake Center	641 E 1 S Rigby
16	Rigby 6	Idaho Transportation Department	206 N Yellowstone
17	Rigby 7	Rigby South LDS Stake Center	106 N 3800 E
18	Ririe	Ririe Sr. Citizens	395 Main Ririe
19	Roberts	Mustang Events Center	653 N 2858 E Roberts
20	Terreton	Terreton Sr. Citizens	1075 E 1500 N Terreton

[9:09:48 AM](#) Motion by Commissioner Hancock to designate polling locations for the general election for 2018 as read. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.

**EMERGENCY MANAGEMENT – REBECCA SQUIRES**

- **GRANT APPROVAL – (ACTION ITEM)**

[9:12:17 AM](#) Rebecca has another grant. Last week they signed the SHSP grant. This is for the Emergency Management Performance Grant (EMPG) this pays the reimbursement of fifty percent on her salary and keeping the lights on. Same grant they have had for years. Chairman Farnsworth said award amount of \$22,839 with a fifty percent match of \$22,839 for a total of \$45,678. October 1, 2017 through September 30, 2019. Rebecca asked if this says 2017 they may have the wrong date. The grant performance date is put in by the state. If they want to approve this now when she gets this updated will only need to have this signed. Chairman Farnsworth said they can approve this and once they get an updated copy they can sign this. Rebecca said this would be for 2018 EMPG for the \$22,839.

[9:16:30 AM](#) Motion by Commissioner Martinez to approve the EMPG grant for \$45,678 total with match. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.

[9:42:42 AM](#) Rebecca comes back in after she verified on the grant. Are exactly where they need to be with the dates. Are getting reimbursed in October for the money from the previous fiscal year. Chairman Farnsworth said they are reimbursed after they spend the money. Rebecca said instead of filing each time she spends she does a yearly report.

- **LEVEE REHAB UPDATE**

[9:17:03 AM](#) Rebecca said they have started the rehab work on the levee. They have three different sites. Hoping this will be a real good thing is an estimated \$1.79 million worth of work. The news incorrectly interpreted the press release. This is a Corps project not a county project. Just because it is in Jefferson and Madison County they have given them credit. Rebecca said usually they have the general from out of the area who hires subs in this area. Provides a calendar for the month. Did have the Preparedness Fair on Saturday it was steady and moderate. The vendors always had someone to talk to. Finished the foundations of emergency management. This is an 8:00 to 5:00 class plus the travel time. Will be obtaining comp time during this but will burn this off once she is able to.

## **COMMISSIONERS**

- **ALCOHOLIC BEVERAGE LICENSES – (ACTION ITEM)**

[9:26:25 AM](#) Motion by Commissioner Martinez to approve alcoholic beverage licenses for Broulim's Supermarket and Hunters Haven. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.

- **NEW BUILDING PROJECT – (ACTION ITEM)**

[9:27:44 AM](#) Chairman Farnsworth asked if they still have water in the basement. Commissioner Hancock said there is still water. Chairman Farnsworth wonders if this is sub with the size of whole in the front does not understand how there is still water in the basement. Commissioner Hancock said this is due to how much pressure is why they have so much water.

- **QUARTERLY REPORT**

[9:31:05 AM](#) Colleen provides a report. This is current as of Friday. Commissioners review the reports. Chairman Farnsworth said Road & Bridge has \$580,000 left. Have two weeks left on this budget. Justice Fund will have some left over. Special Road & Bridge is at a hundred percent. Always good to see money left over in Indigent because this is such an unknown. Look at the out-of-county solid waste. Commissioner Hancock said this is good so they can pay off the courthouse sooner. Chairman Farnsworth asked on Central Fire. Commissioner Hancock said they levy their own. Colleen said she has been working with Kevin on the impact fees. These need to be spent within an eight year timeframe. Commissioner Hancock knows there are some bridges that can be fixed. Asked if this is a percentage. Audrey said when they pay for a permit they each get a specific amount is not sure what the percentage is. Chairman Farnsworth said there are several bridges that narrow in. These need to be fixed. Commissioner Martinez said there is a bridge on his road that has been hit.

- **SIGN CERTIFICATES OF RESIDENCY – (ACTION ITEM)**

[9:40:45 AM](#) Motion by Chairman Farnsworth to approve certificates of residency for the College of Eastern Idaho for Iran Vazquez and Jose Vazquez Jr. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.

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

[9:43:58 AM](#) Commissioner Martinez said while reading the minutes asked if anything had been done on the compression brakes. Commissioner Hancock said this was given to Kevin. Chairman Farnsworth said that Bonneville County needs a speed study done. Did not want to reduce this until they realized they were only talking about reducing this on the curves.

[9:56:08 AM](#) Motion by Commissioner Hancock to approve commissioner meeting minutes from August 20, 2018. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.

## **ASSESSORS OFFICE – JALENE THOMAS – JESSICA ROACH – SHERRY LUFKIN - TREASURER – KRISTINE LUND**

- **CANCELLATION OF VALUES – (ACTION ITEM)**

[10:00:16 AM](#) JaLene is here for parcel #RP005520010030 it is a bare lot. **(Exhibit B)** The value should be \$24,500 instead of \$27,000. For 2018 the septic tank improvement amount of \$2,500 was added in error. Would ask this be valued at \$24,500 without the \$2,500. Kristine said she had put in an estimate of \$26.68 cancellation. Bring these to them for the 2018 taxes. They are in the middle of the tax charge process and want to make changes prior to the tax charge. Wants this to reflect accurately and that is why they are looking at estimates.

[10:03:00 AM](#) Motion by Commissioner Hancock on parcel #RP005520010030 to cancel the value added in error to make it \$24,500 with a cancellation of an estimated \$26.68. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.

[10:03:56 AM](#) Jessica goes over the next parcel is #RPJ0227008001C. They had a new legal description on parcel #RP07N36E222550 this new legal encompasses parcel #RPJ0227008001C. **(Exhibit C)** Are requesting the total value to be taken off otherwise this would be double taxed. Kristine said when they took the information with the 2018 value decrease and 2017 levy they have an estimate of \$146.59 cancellation.

[10:05:26 AM](#) **Motion by Commissioner Hancock to cancel the value on parcel #RPJ0227008001C that has been incorporated into from another parcel with an estimated cancellation of \$146.59. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

### **COMMISSIONERS - GO TO FREMONT COUNTY COMMISSIONER MEETING**

- **EGIN HAMER ROAD & MOU BETWEEN JEFFERSON & FREMONT ON ROAD MAINTENANCE**

[10:07:11 AM](#) Will recess and head to Fremont County. All in attendance are Commissioner Hancock, Commissioner Martinez, Chairman Farnsworth, Colleen Poole, Audrey Moon and Dave Walrath. At Fremont County present are Commissioner Miller, Commissioner Baxter, Chairman Stoddard, Deputy Prosecutor Dina Sallak-Winds, Sheriff Len Humphries, and Road & Bridge Administrator Brandon Harris.

Attend the Fremont County Commissioner meeting to discuss the Egin Hamer Road. Chairman Stoddard asked Deputy Prosecutor Dina if they are up to date with this. Dina goes over the issues are on setting penalties and fines for violating the road closure. Question is really what everyone wants to do. Chairman Farnsworth said they do not have a penalty at this time they need to have one in order to comply. Sheriff Humphries said when they are issuing tickets these are dismissed because they are going in as misdemeanors instead of infractions. Chairman Stoddard said they need to have these be enforceable. Commissioner Miller said they need to decide if they want to do a separate agreement or if they want to continue with a joint agreement. Chairman Farnsworth said they want to be on the same page. Asked why the judge was dismissing the citations. Sheriff Humphries said there was no penalty so they would go to the Judge who would not prosecute the issue as a misdemeanor. Commissioner Hancock said they need to keep in mind that the BLM does not want to change the agreement with the fight they have already had on this. Would recommend doing this jointly. Sheriff Humphries said they have a lot of intrusions. Would like to see an infraction or civil penalty. These do not tie up the court system or the Sheriff's office. Could look at a \$90 to \$100 fine. Commissioner Baxter asked Brandon to show the road and what part is in each county. Sheriff Humphries said the actual road is not the issue. The BLM closes the desert during the winter months. BLM put a closure on the desert where you cannot leave the road. This also covers the Red Road because they are not allowed to leave that road either. Did not have any issues until they got a new Judge who has been dismissing these tickets. Commissioner Miller said that this was resolved with this agreement. Personally he does not like the BLM closing the desert but they do not want to redo this agreement. Chairman Farnsworth said very seldom will they get a misdemeanor to go. If they move toward infractions feels this works better. Knows it needs to be high enough or it will not deter them. Sheriff Humphries adds they have University students that go out and do this. Feels if they have large \$300 fines these students won't pay and then a warrant would be issued. Commissioner Miller said the environmental groups want to enforce this. Agreeing not to get off the road was a tradeoff. Understands where they are at and he does not want to make this worse for anyone. Chairman Stoddard said it would be a battle. Chairman Farnsworth asked if they are in favor of having the road open. Commissioner Miller is in favor just does not like the desert being closed knows that Clark County did not sign anything so they can go wherever they want in their county. In 1997 is when the original ordinance was written. Commissioner Hancock knows prior to this closure the Fish & Game put a closure in the 1970's. Need to put in place some type of infraction with both counties agreeing. Chairman Stoddard asked an amount. Chairman Farnsworth said they would want this to be amenable. Commissioner Hancock said with the caves on this side they would have the bigger issues. Realizes they do not want a huge fine. Sheriff Humphries suggests something similar to a speeding ticket. Chairman Farnsworth said that the Forest Service tickets \$100 for going off the road. Sheriff Humphries asked if they would be tracking first, second and third offenses. Chairman Farnsworth said the only issue he sees is if they are out chasing elk and gathering antlers they can make enough for the ticket so it is worth it to them. The \$100 fine would wake them up and then make this enforceable. Sheriff Humphries said that some of the infractions are not tracked with the state. How would they track the multiple offenses? Dina asked if these are in the repository. Thinks the new court system may allow this kind of tracking. Chairman Stoddard said infraction should be \$100. Should they also look at the multiple offenses? Chairman Farnsworth said they could always look at the infraction to appease the BLM. Then can look at the multiple offenses in the future. Commissioner Baxter asked what happens if the individual does not pay the infraction. Sheriff Humphries said they issue a warrant after the date to pay this by. It would be up to the county to serve a warrant on the issue. Chairman Farnsworth said adding an infraction will solve the BLM problem and will help Law Enforcement. Chairman Stoddard asked if Dina if she could get with the Jefferson County Civil department. Commissioner Miller said this must be done by January 1 when the road closure goes into effect. Dina asked if they need to run this by the BLM. Commissioner Miller said the BLM just wants them to set this. Right now they do not want to run the risk of this road closing. Commissioner Hancock said they can work up a draft copy of this ordinance to include the penalties. Would need to do have an amendment to the ordinance. Commissioner Baxter said they may need a hearing on this since it is an ordinance amendment. Dina said that she can get a draft over to Weston in the next week.

Public Works Administrator Brandon Harris goes over also on the Egin Hamer Road. Currently when they plow they are lifting their blades for the Jefferson County section. Go over the area on GIS map. Go over the areas that each county could plow so they are all plowing an equal amount as possible. Or they can keep doing what they have been doing. Dave said it is agreeable to him. Also met with Jeremy who plows this section of road and thinks it makes sense. Dave believes there is a home the one direction where they could plow and get to this area quicker than Fremont might be able to. Chairman Stoddard asked on an agreement. Commissioner Hancock said they would need a memorandum of understanding (MOU) detailing what would be plowed by each county. Chairman Farnsworth feels

there is no reason to skip the road they are driving on when they can just get this taken care of. Commissioner Miller said this would save fuel. Brandon goes over sections it would be helpful if Jefferson County could get to these faster. Commissioner Martinez said certain parts on this road get slick who will take out the sand truck. Brandon assumed whoever was there would take care of this. Chairman Farnsworth thinks this can be done by whoever gets there first. Chairman Stoddard asked if miles do not equal out there is any other way to help. Brandon goes back over the sections. Commissioner Miller said will let the Public Works Administrators get together on the areas that each county will cover. Chairman Farnsworth thinks they can make this as least complicated as possible. Brandon will draw this up will get maps sent to Dave and have Dina write up the MOU.

#### Open session 1:07

#### JERRY ROUNDS

- **PROPERTY ZONING ISSUE – (ACTION ITEM)**

[1:07:22 PM](#) Jerry would like to present the papers that he has for them to refer to. Property is at 3649 E County Line Road. The new surveys that came out. On the front page is the Quitclaim Deed from Mark Olsen and the description of the ground is on the back of this page. There is a strip of ground refers to exhibit B on the first map. This little piece there is a ditch if they refer to the exhibit E which is an aerial map. This is his ditch. Brings them up to speed on the problem. A few years ago this belonged to Dale Olsen and Jerry had a fence line which had been there since 1942. Dale sold the ground to Mark Olsen who came to Jerry and had this surveyed and he owns thirty-six feet on a diagonal of this ground. Was told the ditch needed to be moved but never did move this. Down the road sold this to Jim Bernard who had this surveyed and has decided what he wanted to claim. Heard that he did not want any of the ditch.

[1:11:35 PM](#) Jerry said two weeks ago Mr. Olsen brought a Quitclaim Deed that deeded this back. Came up to the courthouse and got this taken care of because he was tired of paying taxes on. Came up here and found out Mr. Olsen owed back taxes on this from 2016 and 2017. The county had changed this to residential property. How can this be residential when the ditch encompasses thirty feet? Concern is would the commissioners allow this to be forgiven on the back taxes. This is what he is asking for. On the very last sheet has the list of property taxes. Had changed this zoning he guesses to residential. Do they have any other questions?

[1:13:41 PM](#) Commissioner Hancock said in the past this was \$5.88 then changed to a \$75.46. Jerry does have a listing for what Mr. Bernard has who is trying to follow a good neighbor policy and not infringing on old property lines. None of the ground around this is residential and has been farming. Chairman Farnsworth said he got this Quitclaim Deed dated 8/16/18. Jerry said he got this two weeks ago. Chairman Farnsworth feels that Mark Olsen should have been paying these. Jerry said he should be but has not paid this. Realizes that he should be liable but where he took the property back over that makes him liable. Chairman Farnsworth said he is seeing several nod from the Assessors in the back of the room. Asked if they can move this to other properties.

[1:16:35 PM](#) Kristine said when purchasing property you assume a tax liability. This is a category issue not a zoning issue. Jessica said this is five acres or less because Mr. Olsen did not qualify for the ag exemption. Now that Mr. Rounds owns this then he will receive the ag exemption. Commissioner Hancock asked if this would be incorporated and done away with this parcel. Jessica said it will still have its own parcel number. Jerry said the other option he has is not to pay this then the county would own the ditch. Do have a deed but is not incorporated into the piece of ground. Personally has always paid taxes on time. Does not think this should be taxed as residential property. Knows he should have said this was still Mark's ground. Commissioner Martinez thinks that Mr. Olsen should pay this but now that he has taken over the property it is his deal. Chairman Farnsworth looks at late charges and interest. Commissioner Hancock said if they could cut this in half. Jerry asked if this change would apply to the taxes this year. Jessica said would for 2019 but not 2018. Kristine thinks 2018 would be similar to 2017.

[1:21:53 PM](#) Commissioner Hancock said this would be around \$75. Have a total of \$250. Kristine said this is \$75 a year. This was on taxes that had nothing to do with this until he took the property back. Commissioner Hancock said if they were to forgive around \$100 on taxes.

[1:26:15 PM](#) **Motion by Commissioner Hancock to split the difference on Mr. Rounds' properties. Will forgive half of the taxes on parcel #RP04N38E348590 the amount will be determined by the Treasurer. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

[1:27:46 PM](#) Kristine gets the parcel numbers to go and figure this. **(Exhibit D)**

[1:51:28 PM](#) Kristine has gone over the numbers \$128.98 would be half. Mr. Rounds paid this current with a check for \$128.98 today. On this the actual cancellation is \$106.72 with interest of \$22.26.

#### GIS MAPPING – SHERRY LUFKIN

- **GIS ANNUAL CONTRACT RENEWAL – (ACTION ITEM)**

[1:31:24 PM](#) Sherry said it is the time of year for contracts. Had Eric resubmit a new contract for the map work. Did have Weston review and it was a go on his side. Commissioner Hancock asked if this is an increased amount. Sherry said this is \$5 an hour increase. Had not increased this since 2015. There were also some word changes that Weston and Eric worked out. This does not go over the budget. Commissioner Hancock asked about the \$2,000 retainer. Sherry said there is some training with ArcGIS software. This will help compensate for the training. Commissioner Hancock said most retainers do not pass the retainer amount. Sherry said this will be expenses of no more than the \$2,000. Added this so Eric is not considered an employee. Commissioner Hancock asked on the full

amount. Sherry said they budgeted \$58,500. Chairman Farnsworth said this is \$50 an hour. Commissioner Hancock said he is not here full-time. Sherry said he is not and they usually do not use the amount of hours that are budgeted. Comes in Monday, Wednesday afternoon and Friday. Commissioner Hancock said they should have added a ceiling amount. Sherry said they can re-word this if they would like. Chairman Farnsworth does not see this as an issue. They monitor the hours. Sherry said they have never gone over the amount in the past. Weston did not mention this needed to be in the contract.

[1:38:50 PM](#) Chairman Farnsworth thinks they can let the departments run this. Sherry said they can discuss this with Weston if they want to make adjustments. Commissioner Hancock would like to see the ceiling amount in this.

[1:40:16 PM](#) **Motion by Commissioner Hancock to approve the GIS annual contract with GeoSmith Mapping to not exceed \$58,500 with a \$50 hourly rate. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

[3:14:49 PM](#) Sherry comes back in on the ceiling amount. It does say in the contract that this is to be available with appropriated funds. Commissioner Hancock asked Weston if there should be a ceiling amount. Weston said it does not defeat the purpose to have both of them in. Weston said if they want to have a ceiling in then they can add it. Commissioner Hancock said they put the ceiling in because at times they may lower the amounts. Weston said this would be fine.

### **ASSESSOR – CODY TAYLOR**

- **COMMERCIAL APPRAISER CONTRACT – (ACTION ITEM)**

[1:40:58 PM](#) Cody has a contract for Jeremy Dixon who will be replacing Dave Kinghorn as the commercial appraiser. Have had Weston approve this contract. Commissioner Hancock asked if they have looked at having someone in-house do the commercial appraising. They do one fifth of all the parcels. This is one hundred and fifty parcels that will not exceed \$100 per parcel. They offer a cubicle with a computer to do the work. It does cost less to do this. They do not offer any benefits. Cody said he appraises for several counties in the area. This has been reviewed.

[1:43:13 PM](#) **Motion by Commissioner Martinez to approve the professional services for commercial appraiser contract with Jeremy Dixon not to exceed \$100 per parcel. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

### **PARK & RECREATION – MICKEY EAMES**

- **ICE SKATING RINK CONTRACT – (ACTION ITEM)**

[1:44:48 PM](#) Mickey has the agreement with Mr. Schulz for the ice skating rink. Weston wrote this up. Mr. Schulz is signing this hoping for a longer agreement to become of this due to the costs on setting this up. The only other change is the guarantee of service. Everything else was written by Weston. Want to do six percent gross revenues will be paid to the county. Eventually would like to see the paddleboards and the skating rink rolled into one contract. Chairman Farnsworth thinks they have worked well. Commissioner Hancock asked on the amounts. Mickey said they have received \$200 and \$1,300 but have not received the last one yet for the paddleboards. Have BYU-I that wants to reserve this Monday and Wednesday. Thinks they could make quite a bit of money. Like having people out there it helps with the vandalism they would get during the winter.

[1:50:00 PM](#) **Motion by Commissioner Hancock to approve the licensing agreement for an ice skating rink with Pinnacle Recreation and Jefferson County Lake. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

### **PUBLIC WORKS – DAVE WALRATH**

- **UPDATE**

[1:54:26 PM](#) Dave has a series of forms for the Annis Highway these are for any state or federal project. Will let them review these. He has sent a copy to Weston. Texted a video these are Siemen engines burning natural gas creating electricity. Just started a few months ago. Bannock County has one it's not as efficient. This was the highlight of the conference was touring this facility and seeing these engines running. Commissioner Hancock asked how long it takes before they have enough methane to run an engine. Dave said this facility dates back to 1994. Commissioner Hancock asked if you can stick one in ten years before. Dave said they could ten to twenty years.

[1:57:05 PM](#) **Deputy Prosecutor Weston Davis is in the room**

[1:57:35 PM](#) Dave said they also had a presentation at the Cliff Bar Factory. They say they will be a zero waste facility. It was an impressive facility. One of the presenters brought up recycling and the issues. China has stopped taking a lot of this and has created quite a problem. These containers put a recycle symbol on them but there is nowhere to take these to recycle them. This needs to be a joint effort. Commissioner Hancock said they do not even have aluminum recyclers in the United States. Chairman Farnsworth had asked about recycling glass but they won't take this because it takes more energy to recycle it. Dave likes that Teton County pulverizes the glass and spread this out in the yard. It is a really nice facility. They do recycle by collecting this they bale it and once they have enough they will ship this off. Have a hard time with market.

[2:02:54 PM](#) Dave said they are hauling gravel. Have a patching crew out today. Will do some more brooming tomorrow. Still have the borrowed one from ITD they will use for a few more days. This week have a few more guys but the next two weeks coming up will be slim. Have shouldering to do and sections of roads that need to be replaced. Commissioner Hancock said they can do some out on 500. Chairman Farnsworth asked if they cleaned up the ditch on 3800. Commissioner Hancock said they have talked about how they can do this. Will probably need to cut some of this away and haul it out. Dave said this would be problematic for the road graders with the wing. Chairman Farnsworth asked if the county will or the one that dug the ditch out. Thinks the ones the dug this out needs to fix this and haul it off. Chairman Farnsworth asked on 4000 and County Line where they added that power station asked if anything has been done. Dave said he has a plan in place to establish some drainage have been in contact with Tim. They will have some opportunities to work on this with them. As far as the site triangle problem is a little more problematic. Chairman Farnsworth said if you actually come to a stop and ease out then you can see.

[2:06:38 PM](#) Dave said they could get one of those convex mirrors. Commissioner Martinez said these could bring more issues because they are not angled right. Commissioner Martinez asked if they can slow down County Line Road. Dave said this would have to be supported by a speed study.

[2:08:09 PM](#) Chairman Farnsworth said he spoke with Bonneville County on County Line and they want a speed study. Told them the real issue is in the curves where they slow down were not amenable to past the bridge. Dave said he has a plan to use the zipper to shave some of the pavement off on the bridge decks. Chairman Farnsworth said if they do lower the speed Bonneville County wants to be involved. Dave said he was down and spoke with Steve Thursday. There was a District 6 meeting going over the controversy on the animal overpasses.

[2:10:53 PM](#) Commissioner Martinez said he wants something done on the ditch. Can send a letter or fine them but this needs to be done before it freezes. Weston asked what the issue is. Chairman Farnsworth said someone dug out a ditch and put this in the right-of-way so there is not a borrow pit. Does not think this is their responsibility to clean this out. Weston goes over Idaho code 40-2319 goes over things that are impeding a county right-of-way. They can remove this and charge the offender. Typically would send out a letter giving five days to get this taken care of so they can keep their costs down. Dave said this will be a problem they have no place for water draining, snow storage and once this freezes the wings on the graders will not like this. Weston said sending a letter would be the best giving five to ten days. Otherwise there is a statute to allow the county to remove this out of the right-of-way. Dave said they replaced a culvert and they claimed it was installed too low so they put in a squash pipe. Apparently this wasn't enough either so they cleaned out the ditch. Commissioner Hancock thinks the culvert was too small. Commissioner Martinez said whatever was put in the first time was still better than what had been there. Commissioner Hancock brings up the Paragon charge.

[2:15:14 PM](#) Dave said basically they were not forced to do a hydrologic study. Brought on Paragon to do this because he knew it would be a daunting task. The study showed they needed to go up in size or replaced with the same size. Have 400 N that a bunch washed out the study shows they need three more and the road needs to come up three feet. When he went out with the Engineer they were surprised there was this much water out here. Chairman Farnsworth said this was heading to the River.

#### **SHERIFF – STEVE ANDERSON**

- **IDAHO POLICING POLICY – (ACTION ITEM)**

[2:19:33 PM](#) Sheriff Anderson said this is the same policy. This is to be compliant with ICRMP. Get money back if they comply with this. Commissioner Hancock said that they just get a savings. Asked how many deputies are certified. Sheriff Anderson said they have twenty-two deputies but the jail does not fall under this policy. The jail policy is extremely detailed and is more in-depth. Commissioner Hancock asked inmate count. Sheriff Anderson believes they were at eighty-five on Friday.

[2:22:41 PM](#) **Motion by Commissioner Hancock to approve the Law Enforcement Policy between Jefferson County and Idaho Policing Policy. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

- **AXON CONTRACT – BODY CAMERA STORAGE – (ACTION ITEM)**

[2:24:21 PM](#) Sheriff Anderson said this is extremely expensive. This can get them out within a year if they need to be. Garn said this is a good price for what they are getting. They are required to store this footage for thirty to sixty days for all of the body cameras. This used to be two years. This contract is letting them pay throughout five years. If Weston gives the okay. Weston said this is a master agreement. A lot of this does not apply. Commissioner Hancock asked where they store this. Sheriff said this is kept on site. Weston thinks this is cloud based. Thinks this is vetted by a lot of counties. Sheriff said this is \$3,750 for the first year. Then they have the option to keep going.

[2:28:58 PM](#) Weston said as they are aware the Idaho Constitution inhibits more than a one year contract. Have added this can be terminated within thirty days and if they do not have the appropriate funds.

[2:30:29 PM](#) **Motion by Commissioner Martinez to approve the contract with Jefferson County and Axon Inc. for \$3,750 for a year. Addition to add this it is for body camera video storage. Second by Commissioner Hancock. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

- **PURCHASE PATROL RIFLES – (ACTION ITEM)**

[2:31:59 PM](#) Sheriff Anderson said they have \$13,000 in their equipment line. Want to purchase some rifles. If these are shot in a school it does not affect the kids' hearing or the deputies. Would like to use these funds for five rifles, with scopes and cans on these. This bid is \$10,350. This also includes in person instruction on how to take care of these. The research had been done by Captain Parker and Chief Deputy Wolfe.

[2:34:37 PM](#) Weston said there are two ways to approve an expense. If you are under the county commissioners then it needs to come before them. If you are elected official then it is not required to come in. Sheriff Anderson said they have just practiced to come in here so they know what their plans are. Chairman Farnsworth appreciates having him come and bring this to their attention. Commissioner Martinez said this is transparency. Sheriff Anderson said they always do unless this is fuel or jail food. This is over \$1,000 purchase. Weston said this is hard on separated offices. They are not required to come in just wanted them to have clarification on this.

[2:36:45 PM](#) Sheriff Anderson likes to come in so they know why they are getting rifles.

[2:37:44 PM](#) **Motion by Commissioner Hancock to purchase five patrol rifles for \$10,350. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.**

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

- **ORDINANCE DISCUSSION**

[2:43:07 PM](#) Kevin brings up the Municode have gotten the first invoice and they were going to pay for this year. Will get a new invoice for the full charge to submit.

[2:46:05 PM](#) Kevin said they have non-conforming lots, non-conforming zones and non-conforming uses. If they have anything that is pre-existing from before the changes took place in 2008. Have been treating this for example one of the most recent have an R5 zone with a one acre zone inside of this. The applicant wants to build a house where formally there was a single wide trailer. If a single wide was there before the change and was destroyed by fire they could go back with the exact same size within six months. Now the problem is there was an old house they bought the lot and did not do a property status report. After the process of removing an old trailer that was unlivable. Came for a permit and were told this is a non-conforming lot. Have a ton of these out there. Have spoken with Weston. The ordinance conforms to Idaho Code. Have these coming in as variances. This is going to be a problem because they will get political pressure from this.

[2:50:18 PM](#) Weston said there is not a lot to add. There are ordinances that were passed but there were lots that were there before the ordinance. This makes building in these lots impossible and they have to have a variance. Not always going to pass the variance. Thinks this would be passed by the Planning & Zoning Commission.

[2:51:47 PM](#) Commissioner Hancock said they have changed zones so they have a lot of R1 that are scattered throughout R5.

[2:53:27 PM](#) Weston said they can allow them to come in and submit for a variance in front of the Planning & Zoning Commission. Want to build bigger and better homes so most of the times they may support this. Would have to look at the comp plan and speak with the city to look at annexing properties. Do have a lot of R1 properties that have moved into R5 zones.

[2:54:57 PM](#) Kevin said this is scattered throughout the county. Other issue is the health department is allowing them too request septic permits. This would be spot zoning with these because they cannot conform to five acres. This would be more problematic. Commissioner Hancock asked on the variance. Kevin said this costs \$450 because they have to publish and have a public hearing. They are also adding a delay for the individuals.

[2:56:46 PM](#) Commissioner Hancock asked if there was any type of waiver on this fee. Kevin said if something burns down they only charge the regular building permit. Commissioner Hancock wants to make this manageable. There were a lot of one acre lots that had structures on them.

[2:58:27 PM](#) Weston said there was discussion when this was passed. The rezoning does not constitute a taking. There was a lot of benefit to having order with structures. Have a comprehensive plan in place and eventually all non-conforming will eventually decess. Have residential in the center of commercial eventually this residence will decess. May take years but they have a plan for areas and types of industries. Need to be careful looking at waivers. Are not necessarily entitled to the building permit. Have the option for the commission to look at under the ordinances shows they may offer variances under their interpretation and if it may cause hardship. Have had land that is broken up in so many parcels for year but have used as grazing ground it is hard to argue this was pre-existing non-conforming use. The hardship is it is their land and want to do with it what they want.

[3:01:08 PM](#) Commissioner Martinez said right now they are having this problem. Have to have order to how they build in the county. Commissioner Hancock said these will be on individual basis. But need to be open minded on how they will make these people approach for improvement. Weston said they do not want to make blanket statements on what should be happening. Want to give them the idea of the certain circumstances that could come from an appeal from the Planning & Zoning Commission. They need to look at these case by case. Concerned on the fee issue. If they jump in and say there is no fee to even discuss this they already have a fee schedule set. Want to make sure they are not increasing they can decrease these but not increase without a publication. Do not think this is on the table. Would be worried about a blanket fee waiver if this lays out a variance process. Need to have a real reason on why they are needing to do this with serious inquires only. Commissioner Hancock said this is back to his illustration. Have an area that was

R1 is now R5 have homes and a few trailers. Buying a trailer and want to get rid of this and put a home on this but it is non-conforming to put a 2,000 square foot home on this. Would be a variance process that they can do instead of saying they are out of luck. Would rather have a home than a trailer.

[3:04:45 PM](#) Kevin said this will be a big change from what has been done in the past. Have property status reports from a year ago. Now they have a whole process of education and letting them know that is not how this is being done. Chairman Farnsworth said that is where the variance comes in. If they have someone who wants to update their home from a trailer. Problem would be when they make the lot a non-conforming lot. They created the issue under the new rules. Next to him he has three acres that hopefully someone may want to put a house on otherwise it is just a weed patch. Kevin said this is what they have talked about. Weston said the variance process is set up by ordinance under 3.9 and runs about a page and a half for the Planning & Zoning Commission to consider. This is something the public can also refer to see if there is merit to their application. Commissioner Hancock said they have dilapidated trailer in R5 but was R1 and want to build a home. Thinks they will allow them to build a home. Chairman Farnsworth said they can take this into consideration because they are taking the trailer out for a home. Same use just upgrading this. Kevin asked if this includes shops. Weston said they can discuss hypotheticals between them. Weston said they can deal with a bunch of R5 and have a bunch of R1 may be looking at a rezone. Not in one particular zone. This goes back on the comprehensive plan and how they want to do this. Do not want those that have ten acres to portion off three acres for a house and sell the seven acres behind it and build two more houses. Basically creating their own problem. Commissioner Hancock said for example he knows in the county have numerous subdivisions and a lot of these are R5 but parcel of property in between. Both sides of this is R1 and have subdivisions maybe they should look at rezoning so this is contiguous R1. Kevin said rezoning is really tricky it is a significant change because they are changing the use. Chairman Farnsworth said they would rather have the comprehensive plan in place first. Kevin said this is residential zone it is just different sized lots. Commissioner Hancock said they have subdivisions that have less. Kevin said that these are different because they are spot zoned.

[3:13:17 PM](#) Kevin said they will work on this with Weston to come up with any other ideas.

#### COMMISSIONERS

- **ALCOHOLIC BEVERAGE LICENSES – (ACTION ITEM)**

[3:16:52 PM](#) Motion by Commissioner Hancock to approve the alcoholic beverage license for Jefferson Hills Golf Course. Second by Commissioner Martinez. Roll call taken. Commissioner Hancock – aye, Commissioner Martinez – aye, Chairman Farnsworth – aye. Motion passed.

#### COMMISSIONERS

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

[3:18:40 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 6:01

- **PERSONNEL ACTION – (ACTION ITEM)**

#### 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)**

[6:02:40 PM](#) Motion by Chairman Farnsworth to adjourn at 6:02. Second by Commissioner Hancock. All in favor – aye. Motion passed.

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*Chairman of the Board*

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

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

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

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

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