

**JEFFERSON COUNTY COMMISSIONER MEETING MINUTES  
FEBRUARY 25, 2019**

Meeting called to order at 9:00. Those present are Commissioner Clark, Commissioner Young, Chairman Hancock, Prosecutor Paul Butikofer, Deputy Prosecutor Weston Davis, Planning & Zoning Jenny Kerr, Planning & Zoning Legal Counsel Paul Ziel, Public Works Dave Walrath, Noxious Weeds & Invasive Species Mitch Whitmill, IT Garn Herrick, IT Spencer Goodmansen, Sheriff Steve Anderson, Maintenance Corey Smith, Janitorial Bryan Briggs, Assessor Jessica Roach, Treasurer Kristine Lund, Extension Office Lorie Dye, Emergency Management Rebecca Squires, Park & Recreation Mickey Eames, Clerk Colleen Poole; Audrey Moon is clerk of the board. Pledge of Allegiance led by Dave Walrath. Prayer offered by Commissioner Young.

**COMMISSIONERS – ELECTED OFFICIALS – DEPARTMENT HEADS**

• **STAFF MEETING**

[9:02:19 AM](#) Chairman Hancock welcomes everyone today appreciates everyone being here. One of the things on everyone's mind is the new building which has been on their minds. They are not moving in next week. Will be telling everyone that they need the whole month of March. Tammy is not here but have spoken with Gene on this. Are still a few weeks out. It will not go past the end of the month. The heat will be on tomorrow they are flushing the lines. Once this is on looking at six days for carpet. Have had Bryan going over and cleaning. Will be putting up chair railings. Mickey asked if there is an elevator. Chairman Hancock said the elevator is not in and may get a temporary occupancy in the building prior to the elevator as long as they did not use the conference room. Elevator is not scheduled until second week of March. Garn has informed him they will have telephone and internet services for the building. Knows this is a concern. Bryan is getting some cleaning done. Hopes to see carpet going in sometime this week. Appreciates people at Road & Bridge trying to keep up with weather. The maintenance keeping this building clear. One day Mitch had apologized he had been out sick there was a day that was a concern his people did not get here as soon as usual. Have to realize it is winter time and have to be cautious in walking and driving. Dave said eight state highways closed in District 6. Chairman Hancock said almost all of the roads out of here are closed. Have patience really encourages this when the roads are slick.

[9:06:37 AM](#) Commissioner Clark does not have anything to report.

[9:06:47 AM](#) Clerk Colleen Poole mentions a couple thing Marilyn and Carlos wanted to make them aware of mail order prescriptions. These are for ongoing prescriptions can get more this is cheaper and delivered to their door. Wanted to let them know about this because they are not utilizing this like they should. Has put this announcement on the web time. Just a reminder. The other item is remind them on the agenda when presenting to use the time wisely. Usually have people waiting. Remember they cannot speak about anything not on the agenda.

[9:08:15 AM](#) Sheriff Steve Anderson said it is really busy it is suicide season with two already this week. Have not been able to count the traffic accidents. It has been really busy should slow down around March or April.

[9:08:44 AM](#) Park & Recreation Mickey Eames needs to get with Scott to get bids to build her wall.

[9:08:59 AM](#) Treasurer Kristine Lund has a lot going on. Getting ready will have a tax deed hearing on May 20. Try to get these down to as little as possible. Have warrants of distraints and work with the Sheriff's Office to try to get these paid. Wanted to say sometimes we do good things and have all benefited having Garn be their IT employee. Then when he hired Spencer his training he is providing our employees is just wow. One of her employees attended his class and had a lot of good to say on this. This way they are not having to travel and are getting a very good education.

[9:10:37 AM](#) IT Garn Herrick thanks for the kudos. This is part of their jobs. Now have the commissioner agenda on the TV. This shows the times and what will be discussed. Maybe this will help keep them on task. This is a digital signage project they are developing. Can change the screen however they want it to look. It will eventually be out in the hallway with announcements. Thought they would start with this and this is their test. They do now have a new projector in this room. This is much brighter and has accurate colors. Can go wireless. Will be able to plug into any connections that any tablet and laptop would have.

[9:12:31 AM](#) Noxious Weed & Invasive Species Mitch Whitmill sorry he was late was out pushing snow. Working on training and updating agreements with other partners and the State. Wanted to bring up a note the auction they have been running for the county according to the print off most items have been picked up. Had some items that were not sold did talk to Weston and if they came in and do the resolution for sale or disposal. If they do not sell then they will have to do a different type of resolution to dispose of the equipment. Weston said that is correct. Mitch said he thought they could liquidate if this did not sell. But they do need to come back to the commissioners with another resolution. Weston said they can do a private sale but would still need to come back to the commission. Mitch asked if it would have to be under \$250. Weston said as long as they tried to auction this off and it did not sell they would be fine. Would need permission still so there is transparency of what is happening. Colleen said they would still need a resolution if they destroy this at that point. Mitch said then they would have to get a resolution for destruction or they can relist the items. Will do a quarterly auction. If they want to relist they can advertise in the paper again. Dave said they had ten days to pickup they had some bad weather so they worked with the buyer. Mitch said they do give them some allowance on picking items up. Can work with the buyers.

[9:18:20 AM](#) Maintenance Corey Smith mentions everything is going well. The sidewalks are starting to raise they are getting frost heaves. If they have anything that needs fixed fill out a work order or give them a call so they can get it fixed as soon as they can.

[9:18:48 AM](#) Janitorial Bryan Briggs said they reported what they had been doing.

[9:19:01 AM](#) Assessor Jessica Roach does not have much to report right now. Are in the middle of reappraisals and property tax reductions.

[9:19:22 AM](#) Planning & Zoning Jenny Kerr is here for Kevin Hathaway and has nothing to report.

[9:19:25 AM](#) Planning & Zoning Legal Counsel Paul Ziel added that Kevin is under the weather and asked him to be here for the meetings afterwards. Busy been working on a moratorium with the City of Rigby. Are working well with the City of Rigby are also renegotiating the area of impact area. This Thursday night they have another meeting with the City of Rigby. Feels this is going very well.

[9:20:13 AM](#) Extension Office Lorie Dye not a whole lot to report. Have schools going on. Start weigh-ins for 4-H animals in a couple weeks. Asked in the new building will there be chairs and tables in the meeting room upstairs. Chairman Hancock said they are not sure yet on the times. Have not ordered any yet.

[9:21:14 AM](#) Emergency Management Rebecca Squires said they watch the reservoirs. Upper Snake reservoir is about eighty percent and Palisades is at about eighty-three percent full. Passing about 900 cubic feet per second. Just enough to keep the fish alive. Snow tell data tells them they are running between 105% to 120% of the normal for the Snake River drainage. Pretty average year so they are happy about that.

[9:21:48 AM](#) Public Works Dave Walrath said they have been really busy. Has been a struggle this month have had some issues with mailboxes. Will interview on Thursday for an open position at Solid Waste this will be mainly at Countyline Landfill because they will be adding another day of operation at the landfill. Will probably be around March 14 since winter has not gone away. Will also interview next Wednesday for Road & Bridge to fill a vacancy from Dennis Gilson's retirement. Trying to keep the roads in good shape.

[9:23:13 AM](#) Prosecutor Paul Butikofer does not have anything unless anyone has any questions for him.

[9:23:19 AM](#) Commissioner Young wanted to go to the training on Wednesday but he had a health board meeting. Learned a lot of interesting things. Got emergency training in April. Got to go to Ririe High School for sex education. It is a good program. Ririe is one of the few schools that the Health District is involved with. Maybe they can get this to the other schools within the county.

[9:24:28 AM](#) Chairman Hancock said one more thing they had some bad publicity about our parking lot. One of the things was about county vehicles in the parking lot out here. Had gotten an email and there was a letter to the editor in the paper. Will request and encourage everyone to park out as far as they can. Jessica asked on designated parking locations. Chairman Hancock said for the time being just try to park out as far as possible. Mitch said when they park the county vehicles scattered they have to go in and around with the truck. If they could conjugate them to the same spot so they are clustered in one location it would make it easier to plow. Wants the main parking lot opened. Would be a lot easier if they were all in one area. Chairman Hancock said they just want everyone to know.

## **DEPUTY PROSECUTOR – WESTON DAVIS**

- **OPEN MEETING/EXECUTIVE SESSION DISCUSSION**

[9:33:52 AM - 9:59:59 AM](#) **Motion by Commissioner Clark to go into executive session 74-206 (F). Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed. – Tabled until 9:59**

[9:33:52 AM](#) Chairman Hancock forgot that they had some training before they go into executive session. Invites the public back in for the discussion. Weston said they have some new commissioners and elected officials wanted to talk about Idaho open meeting laws. These are contained in the Idaho Code. Title 74 this used to be tucked away in a part of the code no one could find. So they created its own Title of Ethics and Government. First is public records. Second is open meeting law. The Idaho Attorney General has put out an amazing manual. Most of the time if they have a question on how open meetings work they can call him. This is a tool with hypotheticals and what ifs. Generally speaking he makes sure they do not violate the open meeting law but the Attorney General actually enforces this. Want to operate in an open manner. What constitutes a public meeting? First thing is what constitutes a quorum. Weston can talk to a commissioner. Commissioner Clark and Chairman Hancock can get together for lunch. Two commissioners together and are talking about weddings and sex education then they can do these things together. Other question is what the perception of the public is when two are together. This is something they need to be sensitive of. They do go to lunch together and this is legal. Question from the public may come up is what are they talking about. The next question is if there is a quorum is it a public meeting. One of the things is if a deliberation is occurring. Obviously they cannot make decisions without a public meeting and an action item being noticed. Public should be entitled to know whether or not it is a discussion or if an action would be taken on this. When talking about deliberation means the receipt or exchange of information or opinion relating to a decision. Shall not include informal or impromptu discussions of a general nature that do not specifically relate to a matter pending for a decision. So basically if commissioners want to talk about the building which is a pending issue so it needs to be noticed up for public meeting. If they talk about expansion of the lake then they should meet to talk on. If it going to come up for a vote it should be done in a public meeting. If they have an issue the goal is to have the commissioners be familiar with the topic before they come in. How can they be brought up to speed before the open meeting? Want to discuss this in public so they know about this. Most of the time the answer will be it was raised here. Would be nice if a department would speak to a commissioner. Can speak to them individually. Encourages the commissioner to make sure a record is made for the public so they understand the issue. Make sure any discussions held in deliberations are stated in the record and not held back. Want to articulate this so the public understands what is going on by not having any closed door meetings with the commissioners. In their role after they are updated by a department they still want to have the discussion with the public. If Mickey has an issue they should still summarize the issue. Should go over the problem that they are asking for action. Could have discussion on the appropriate action. If members of the public want to comment they can take public comment they can just ask them to come forward and state their name and address so they can create a record. There are certain times where they have a portion of a hearing set up for public comment. Make sure everyone has the opportunity to comment. After everyone has commented need to close this part of the hearing so they can deliberate. Is important to have order as they proceed. Once this is closed if anyone wants to comment would have to open this up for all comments so would have to allow everyone to make a comment. Important to have an orderly fashion.

[9:44:54 AM](#) Departments need to clearly state what is going on. Some of the times this is the first time they have attended a public meeting. May take a few minutes to understand what is being discussed. Summaries give the public the backdrop of what is being proposed to the public. Do not want a decision on half of information. It just makes everyone look bad.

[9:45:57 AM](#) Commissioner Young asked they have problem is it okay to speak with them one on one but they should not have two of them speaking to the individual. Weston said correct. If they are independent they are fine if this is an HR related issue may have himself and HR present doing this investigation. If looking at facts independently that is fine. One of those issues need to invite this to be on the agenda. If this is something

that happens after posting there are some emergency guidelines as far as amending the agenda. Knows some things would be nice to take care of but may not necessarily be an emergency.

[9:47:38 AM](#) Paul said it needs to be specific about what is being put on the agenda so the average citizen can read this and understand what this is. If they do not even know then the public will not. Needs to be specific enough on what they are talking about. Colleen said they also asked they not use acronyms. Weston agrees half the time he does not know the acronyms. Paul said this helps Weston and himself be prepared. Weston said is disheartening for the public to come in on an issue and for it to have to have further research. Will be impossible to always have everything done immediately. It helps so they are prepared as well. Can reach out to him on issues but please get this to him before Thursday when Audrey sends the agenda or Friday after it has already been posted. If they get it to him on Thursday he can do his best to get these items done even if that makes him work all night. Tries not to do this because he has a family. If they could send this earlier if they know this is coming up. If they do not hear back just get ahold of him. The last few months there has been a lot going on.

[9:51:25 AM](#) Kristine thinks it is fair that once they put something on the agenda in the Clerks Office it should have already been approved. Weston does not need updated on everything that is put on the agenda. If this involves legal issues or some of the things that Dave sends on the contract. A lot of times this comes on Thursday they need to ask if this is an emergency or if it could wait. Knows there are exceptions. Colleen said the part of the problem is meeting every week they do not think about this until they send out the preliminary agenda. Paul said some Prosecutors review the agenda prior to being posted to verify if this is specific enough. Also they are required to submit any documents they have to be more prepared. Chairman Hancock said they have looked at this if it is a hearing they need the information a week ahead. Do not want his handed to them when they walk in. Then they are trying to go through the information while the public is in here presenting their information. Need the time to review and research information. Told Planning & Zoning that if they do not have the information then they will not hear it. Paul asked on the timeframe for these documents to get to the commissioners. Weston said there is not anything in the statutes on this. But let's say Mickey has a proposal she wants to present to the commissioners can she send a group email to all the commissioners. Of course she can. The commissioners just cannot reply all he could reply to Mickey. If they hit reply all then it would be a deliberation. If they reply just to Mickey because they need more information they can individually email. Cannot forward emails to each other either to get around this. If she was to say there was the same concern does not think that is an issue. Chairman Hancock said this is so they are working toward a decision and will put this on the agenda as an action item so they can be ready. Weston thinks like written decisions and hearings are good to have a week in advance. Resolutions should already be put together instead of sliding them across the table. Likes the idea to have these documents up and ready for the public. Could publish these up on the screen. Feels that will all come with time. Need to have this ready to make intelligent decisions. Attorney General manual is a great one. Can answer questions that come up. Generally speaking if they have things to them then they can conduct themselves correctly on manners. It is interesting going to the legislature because they ramble things off so fast and as an attorney sometimes he is not sure what they are discussing. Feels it is important on a community level that the public understands so if they make sure the discussions are clear.

- **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)**

[9:33:52 AM](#) - [9:59:59 AM](#) Motion by Commissioner Clark to go into executive session 74-206 (F). Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed. Planning & Zoning legal counsel Paul Ziel is in attendance – Tabled until 9:59

Open session 10:23

[10:24:12 AM](#) Motion by Chairman Hancock to go into executive session 74-206 (B) – Personnel. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

Open session 10:32

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

- **WRITTEN DECISION – INTERIM ORDINANCE ACCESSORY APARTMENTS – (ACTION ITEM)**

[10:32:36 AM](#) Jenny has the written decisions back in December. Weston said they did not have to have a written decision but wanted to solidify the decision. Weston has reviewed this. He is the one that revised this. Could read this out loud. The idea is to bring this into conformance with the prior understanding.

[10:35:41 AM](#) Chairman Hancock reads written decision for the interim ordinance. "Interim Ordinance on Accessory Apartments / Jefferson County, Idaho. Due to a conflict between current Jefferson County Ordinances, requiring that only one home be built on each lot in certain zones, and the accessory apartment ordinance that allows for a detached accessory apartment constituting a second home, the County desires to adopt an interim ordinance to replace the current ordinance regarding the accessory apartments section of the current Jefferson County Ordinances, pending a permanent revision. The Interim Ordinance would require that all accessory apartments be attached to an existing structure. This will amend our current Jefferson County Ordinance 3.4.4 that regulates accessory apartments. A public hearing was scheduled for January 7, 2019 at 1 PM with the Jefferson County Commissioners. On December 17, 2018, notice was sent to the Rigby Jefferson Star News for publication on December 19, 2018 and December 26, 2018 as required by State Statute (I.C. 67-6512) and the Jefferson County Zoning Ordinance Section 3.15.2. A public hearing was held on January 7, 2019 at 1 PM by the Jefferson County Commissioners. Present at the meeting: Legal Counsel Weston Davis for the County and Belinda Tanner for Planning and Zoning, Chairman Brian Farnsworth, Commissioner Scott Hancock, Commissioner Fred Martinez, Clerk Colleen Poole, Deputy Clerk Audrey Moon, P&Z Administrator Kevin Hathaway, Planner Jenny Kerr. Presenting: Kevin Hathaway stated they have added this as an interim ordinance to be able to work out any problems with it. As written there is a conflict in the building code. This interim ordinance makes it more responsive. No one from the public spoke in favor. No one from the public spoke neutral. No one from the public spoke opposed. This interim ordinance is intended to correct the ordinance to its intended use. Present ordinances are not clear whether an accessory

apartment can be built to use as a rental property. The current ordinance allows a second detached/separate dwelling on a parcel, which contradicts other ordinances that require a conditional use permit in order to build separate dwellings. The interim ordinance requires an accessory apartment be attached to the original dwelling, allowing care for family members or other close friends while still being part of the original dwelling. This interim ordinance shall be in effect until January 6, 2020 at which point it will automatically expire and may be amended by permanent ordinance. Residents still have the ability to apply for a conditional use permit under applicable ordinance for temporary mobile home placement for family members. This interim ordinance conforms with the original intent of the existing ordinance and corrects issues with current zoning ordinances regarding number of residences. This proposed ordinance has been published, and future corrections to the permanent ordinance will likewise be published. This interim ordinance shall be known as Interim Ordinance #2019-3. This ordinance was passed with unanimous consent of the commissioners."

[10:36:26 AM](#)

**Prosecutor Paul Butikofer left room**

[10:39:42 AM](#)

**Prosecutor Paul Butikofer is in room**

[10:39:48 AM](#)

**Motion by Commissioner Clark to approve the written decision on interim ordinance which is Jefferson County ordinance #2019-3. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

- **REPORT – CHALLENGER PALLET – LETTER – (ACTION ITEM)**

[10:40:49 AM](#)

Chairman Hancock said Weston had wanted this put on. Weston said this may be a question for Kevin or Jeff. Was unaware Kevin would be out sick today. Had a walkthrough with Jeff and he was going to put together a finding with his pictures and reports. Jenny said she is not up to speed on this. Weston asked if she could check. There was discussion about a report being sent to them. Need a status on a conditional permit application. Prosecutors Office does not need this. The Commissioners need to know what those recommendations are. They had an affidavit of cause. Paul said they need a written report this was done with Weston Davis, Kevin, and the Challenger attorney. Have never seen a report. Has tried to contact him on this.

[10:42:58 AM](#)

Chairman Hancock said there was some perception from the public that they are not doing anything. If there are issues they wanted to point this out. If there are not any issues wants to make sure they close this out. Wanted to have closure to this. Weston said he was there he is just not the one that makes recommendations and they need the recommendations. This is what the county is waiting on. Mr. Ziel will coordinate with Jenny to make sure they can get this done.

[10:43:56 AM](#)

**Planning & Zoning legal counsel Paul Ziel left room**

#### **CLERK – COLLEEN POOLE**

- **POSTAGE MACHINE – (ACTION ITEM)**

[10:44:18 AM](#)

Chairman Hancock said that he read through the terms and conditions and these were really one sided. This is why they need to put together their own terms and conditions. Colleen said that they can table this or she can have him come back in. Chairman Hancock said the two issues they are leasing with an option to buy this out. Never gave any figures. Commissioner Clark said they brought this up not so sure they would want to buy this out. Colleen thinks they have always just leased this. Weston said they have two types of leases. If this is a lease to own then at the end of the term they own this. If this is a fair market lease then they have an option to purchase at fair market value that will be determined at that time. Reason they can have any price they want because they want them to re-up into another lease. They are in complete control. Paul asked if they can just tell them to come get this. Chairman Hancock said the other one he did not like is no matter what other than limitation of funding they are obligated for five years. Weston said that is correct if they terminate early they have to pay the whole term. Except for appropriation of funds they would have to pay for the entire contract. Does not see anything wrong with this. It is not illegal it is a business decision. Same thing on the jurisdiction issues. Made a recommendation to have these be changed. Most of what was sent on the contract is a please understand this. Question for Colleen since he did not have the invoice is if the invoice states it is a fair market lease or a true lease. Just want them to understand. The two changes would be jurisdiction staying in Idaho sometimes they won't change this but want them to know it is in there. Colleen said they are a national company.

[10:49:12 AM](#)

Commissioner Young knows they provided maintenance but what if they fail. Weston said if they breach contract then the county would have to decide if it would be grounds for termination of contract. Chairman Hancock said this is not something they would want to put in. Weston said they have a lease and thinks they will want to do the best they can. If they are not providing the services than they could look at terminating this. Chairman Hancock asked if he had given any other information. Colleen only requested the agreement from him. Sent this and had Weston review. Could have him come back again if that is what they want. May need to speak to their counsel. Experience has been good but realizes they need this in place. Not sure they would want to purchase the machine so likes that they would trade this out. Chairman Hancock said this continues to lease until they terminate the lease. Would be nice to know if they reduced this if they continued to lease. Colleen said they are getting a new machine at a new rate.

[10:52:05 AM](#)

Commissioner Clark asked after the five years. Chairman Hancock said at the end it renews unless they provide a different machine or a change. Commissioner Clark said they can terminate at the end of the five years. Chairman Hancock said but not before. Commissioner Clark said that is how most leases are. Chairman Hancock said once they lease this they are stuck for five years.

[10:53:16 AM](#)

Weston does not see anything about this being a lease to purchase. Thinks it is more of a fair market lease. Not going to own this at the end. Would advise against signing the why wait agreement. This allows them to re-up six months early. If they sign this now they could keep this and then equipment keeps showing up. Colleen said if they do not sign this then the new rates would start now. Was told they would bring the new machine now on this and the new rate would start in November. Weston said the Neopost why wait program asked if they have a contract already. Says it allows them to upgrade up to six months to their current lease. The new lease will commence. Colleen said they should have a current lease with them now because this is who they are currently with. Weston said if they have a current lease he would clarify this from the current lease they have that date and so that it is clear. Colleen said the why wait is letting them keep the rate for six months and still have a new

machine. May be in the same situation in five years. Chairman Hancock said if they do not sign this then they are not obligated. Colleen said if they do not sign this then they would start the new lease now. Weston said as long as they clarify what the current lease is. If they write the date of the current lease then they are fine. Colleen will check on this.

[10:56:16 AM](#) Commissioner Young asked if they get the new machine before November. Weston said they want them to have a new machine. Colleen said the why wait is to keep the old rate with the new machine. Colleen will have him come back in to sign this.

- **EXEMPTION APPLICATIONS – (ACTION ITEM)**

[10:58:08 AM](#) Colleen said these are tax exempt statuses. Chairman Hancock said there is a parcel number and name on each of these. These are the tax exemptions for non-profit organizations. They are based on tax exempt. Jessica has statutes for all three of these. Chairman Hancock said this is all provided by code. Jessica said this is an annual short form to verify nothing has changed in their status.

[11:01:28 AM](#) **Motion by Commissioner Clark to approve tax exemption for the following Rigby Community Presbyterian Church parcel #RPA0005010005E, Mud Lake Historical Society parcel #RPC00000179479, Butte & Market Lake Canal Company parcel #RPD0221003001A, Rigby Senior Citizen Center parcel #RPA00000182347, Ririe Senior Citizen Center parcel #RPB0175007017A, Ririe Senior Citizens parcel #RPB0175007020A, Ririe Senior Citizens parcel #RPB0175007021A, Ririe Senior Citizens parcel #RPB0175007023A, Bethel Independent Baptist Church parcel #RP04N38E130621, West Jefferson Senior Citizen Center parcel #RPC00000179509, Enterprise Canal Company parcel #RP04N40E368240, Ririe Chapel parcel #RPB0175024029A, Community Baptist Church of Mud Lake parcel #RPC00000213050, Community Baptist Church of Mud Lake parcel #RPC00000213020, Roberts Community Church parcel #RPD0221019024A, Monteview Canal Company parcel #RP08N33E351960, West Jefferson Lions Club parcel #RPC00000179303, Grand Teton Council parcel #RP05N39E330026. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[11:05:51 AM](#) Deputy Prosecutor Weston Davis left room

[11:05:51 AM](#) Colleen provides ag exemptions. Have done these individually in the past. Commissioners each review an application. Verify that they all have proof of \$1,000 income.

[11:06:34 AM](#) **Motion by Commissioner Young to approve ag exemption for Carpenter, Scott on parcel #RP04N33E133180. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[11:07:05 AM](#) **Motion by Commissioner Young to approve Owen, Alex for ag exemption on parcel #RP006540010030. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[11:07:42 AM](#) **Motion by Commissioner Young to approve ag exemption for Felde, Douglas on parcels #RP005870050020, #RP005870050030, #RP005870050040, #RP005870050050 and #RP005870050060. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

## **COMMISSIONERS**

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

[11:09:49 AM](#) Scott Nielson gave a brief report. Visiting over yesterday biggest objective is trying to get the heat on. Looks like this will be tomorrow. Then they can get finishing done. Are getting very close. Did receive some numbers on the cistern pump equipment. Thinks they can get a fairly reasonable price by using a different supplier. From a standpoint of finishing up knows they are looking at when they can occupy. Looks to him by the time they get the finishes the air system balance, emergency system tested, the elevator which is a condition for a permanent certificate of occupancy believes this will be the end of March. Will still be able to move some equipment and furniture in. Site work will be delayed until they have warmer and dryer weather. Did walk the building with Jeff Ottley on Friday and has been good with letting him know of issues. Knows the Fire Department has gone through this. Chairman Hancock went and walked this this morning and realize there is no way this will be ready. Let the departments know this will be at least the second week of March. Scott said they are trying to get Probation and Prosecutor area done first. Chairman Hancock said this has been discussed this morning after he walked the building and talked with Loren. Realizes there is no way this would be ready.

[11:13:12 AM](#) Scott said there was one item from their meeting last Thursday. Chairman Hancock said they have a \$1,639.41 change order to install a range outlet in the upper conference room in the kitchen area. This is PC023 would need to take care of this by motion. Scott did review the costs and they are reasonable.

[11:13:55 AM](#) **Motion by Commissioner Clark to approve proposed contract change #23 for \$1,639.41. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[11:14:46 AM](#) Scott said he will have a formal change order for them next week.

- **KEY POLICY COMMITTEE – (ACTION ITEM)**

[11:15:21 AM](#) Colleen said this was on a couple weeks ago. Would like to review the key policy. There were some issues brought up by Officer John Wolfe from the Sheriff's Office that oversees the keys. Thinks the timing is good with the new building come on. Some do not even know what the policy is. Would propose to have department heads and elected officials on this committee with exception of those not on site. Would have one or two meetings and then present this to them. Chairman Hancock said it would be good to have commissioner on this. Commissioner Young would be happy to be on this. Colleen does not think this will take long just some items that need tweaked. Chairman Hancock does not think this needs any motion they can proceed with putting this together and bring in a changed proposal.

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

**PUBLIC WORKS – DAVE WALRATH**

- **DUMP TRUCK – (ACTION ITEM)**

[11:18:58 AM](#) Dave provides Idaho Code 67-2807. Chairman Hancock said Weston did review this. Saw his comments on this. Dave said this used to be another company. Chairman Hancock said this qualifies under Idaho statute. Weston said this is their purpose.

[11:19:22 AM](#) **Deputy Prosecutor Weston Davis is in room**

[11:19:24 AM](#) **Prosecutor Paul Butikofer left room**

[11:20:08 AM](#) Dave said that Planning & Zoning has used Sourcewell. Not sure they really need a separate account. Planning & Zoning has used Sourcewell. Weston said if that is the case they should be okay. Did make a recommendation on a change. Dave said they referenced the laws of Utah and changed this to Idaho. Weston had a few other recommendations. Dave said on the purchase agreement if there are any market increase on the cost then they are on responsible for the price. Did talk to them on this and it is a rare thing that could happen. Want them aware that it is in there. Weston said they could approve this subject they strike this out since it may be a one percent chance. Dave would be more concerned with the Peterbilt since it is a year out. Weston said if they approve for a certain amount then Dave may have to come back in for the additional amount. Dave does not think this will happen. Weston said he spoke with Jackie already. Jessica has a question and then he needs to head back to Idaho Falls.

[11:23:16 AM](#) **Deputy Prosecutor Weston Davis left room**

[11:23:19 AM](#) Dave has not heard from Williamsen-Godwin on the bed. Could be less than this since this is based off of Legacy Equipment. Chairman Hancock said they are a big time manufacturer. Kerry alluded that they are butting heads and are delayed in getting numbers from them. Chairman Hancock asked if they have the budget. Dave said they have the budget he had \$300,000 budgeted. Chairman Hancock said they have no excess tax on this. Asked what they want to do. Could give a ceiling amount and look at different bed. Dave said they have tailored the Legacy bed to mirror the Williamsen-Godwin with how it looks as well as reinforcing. Chairman Hancock said they are looking at \$176,109 for purchase with a trade in of D-5.

[11:26:05 AM](#) Commissioner Clark knows they see the trucks running up and down the roads every day. Have to keep upgrading. Chairman Hancock said they can change out parts but eventually these need traded out. Dave said this is heavy and harsh use. They are in dirty environments. Commissioner Clark asked if they need any changes in the contract. Dave said the change has already been made. Chairman Hancock said the contingency is if they could get the Williamsen bed for less amount of money. Could go with the cheaper one. Dave said once the chaise is made and shipped it is sent to the manufacturer. Commissioner Young asked if they could do the bed later. Chairman Hancock said Kenworth has to coordinate this. Then they can still decide on the bed if Williamsen gets them a price.

[11:28:18 AM](#) **Motion by Commissioner Clark to approve Road & Bridge to purchase a Kenworth dump truck for \$216,109 with trade in of \$40,000 for a total of \$176,109. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[11:32:29 AM](#) Dave goes over the snow plowing policy. When it gets too bad out with high winds they are not doing any good. Commissioner Young asked since his wife is a dialysis nurse and has to get to her patients if they ever can come and help them get out. Dave said there are emergency instances. Go over road closures. Dave said they do the higher risk roads. Chairman Hancock knows they were out by 5:00. Dave said they started at 3:00. Sure there have been complaints about winging snow back. This is pushing this to the limit of the right-of-way. Will have some interviews coming up. Gentleman that bought the compactor was going to try and get it again this weekend. Go over purchase agreement on the roller. Dave said their name is on this and if someone comes they will get ahold of them first.

**SOCIAL SERVICES – JACKIE MAUPIN**

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

[11:42:49 AM](#) **Motion by Commissioner Young to go into executive session 31-874 & 74-206 (D) – Records exempt from disclosure. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

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

Open session 11:58

[11:58:50 AM](#) Recess to review claims

Open session 12:21

**COMMISSIONERS**

- **APPROVE CLAIMS – (ACTION ITEM)**

[12:22:01 PM](#) Chairman Hancock asked if there are any questions. Does not have any issues.

[12:22:30 PM](#) **Motion by Commissioner Young to approve claims from 2/12/2019 to 2/22/2019 for \$321,815.37. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[12:23:08 PM](#) **Motion by Commissioner Clark to adjourn at 12:23. Second by Commissioner Young. All in favor – aye. Motion passed.**

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*Chairman of the Board*

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*Date*

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

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

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

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