

**JEFFERSON COUNTY COMMISSIONER MEETING MINUTES  
APRIL 15, 2019**

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

**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)**

[9:02:15 AM](#) Deputy Prosecutor Weston Davis is in room

[9:02:30 AM](#) Motion by Commissioner Young to go into executive session 74-206 (F) - Legal. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.

Open session 9:12

[9:02:51 AM](#) Motion by Commissioner Clark 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 9:23

**SOCIAL SERVICES – AMY JOHNSON**

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

[9:24:14 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.

Open session 9:31

[9:31:33 AM](#) Deputy Prosecutor Weston Davis left room

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

[9:31:39 AM](#) Motion by Commissioner Clark to deny case #2019-20 on possible ability to pay. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.

**ROAD & BRIDGE SUPERVISOR – JERRY RAMIREZ**

- **RESOLUTION #2019-20 – DISPOSITION OF COUNTY PROPERTY – (ACTION ITEM)**

[9:32:50 AM](#) Chairman Hancock reads “Resolution Authorizing Disposition of County Property Resolution # 2019-20. At a meeting of the Board of Jefferson County Commissioners, State of Idaho, on the 15<sup>th</sup> day of April, 2019, The following resolution was adopted, to wit: Whereas, Jefferson County Standard Operating Procedure required the Board of County Commissioners to authorize the sale of County Property; and, Whereas, the Public Works Administrator has proposed for the sale at auction of property that is no longer in working order or is not used. Be It Therefore Resolved that the Board of Jefferson County Commissioners hereby authorized the sale at auction of said property listed below: 1983 Ford F800 Dump Truck (D18), 2006 CAT D6R Dozer Tracks – 0% Pin Rating, 1971 Perl Water Tank Trailer, 2 AMT 394F-95 Self Priming Sewage Trash Pumps. Approved and adopted this 15<sup>TH</sup> day of April, 2019.”

[9:36:03 AM](#) Chairman Hancock said the sewer trash pumps they had a question and called on these. They are buying some for the annex but these are different designs and do not have the capacity of what they need. Price on brand new is over \$2,000 apiece. These are still in the boxes. Talked to Dave and he would put a minimum of \$2,000 on each of these. This resolution is to be put these items on the auction site. Has tried once to sell the tracks. Jerry said the water tanker just never worked really well for what they were using this for. Was beginning to leak. Chairman Hancock thinks this is 4,000 gallons. Other thing they have talked about is when they are doing chipping if they have a tanker sitting it would almost pay to buy one. If they pay \$300 to sit there they can pump this into a tanker. Then they would not be charged any demurrage. Jerry said they have dropped the time to two and a half. Chairman Hancock said with what they pay they could buy a tanker. Jerry said they used to have an extra tanker and it did work out. Chairman Hancock said when they see the demurrage costs that high they need to do something. If they have a trailer they can dump this into. Just bringing this up trying to think of how to improve their efficiency. Jerry said Idaho Asphalt had some trailers and that could save them on demurrage. Chairman Hancock said these would not need to be new would just hold the oil.

[9:41:40 AM](#) Deputy Prosecutor Weston Davis is in room

[9:41:56 AM](#) Commissioner Clark asked if the oil would get hard. Chairman Hancock said they only use this in the summer they have to be over 80 degrees for the oil. If they have a load in the morning but may take six hours to get this off. Jerry said then the other tanker is waiting and they are beyond delivery time. Chairman Hancock thinks a tanker would be the best thing to do. Jerry thinks that Idaho Asphalt had some. Chairman Hancock said they just need to store the oil so they are not being charged demurrage. Jerry asked if they would need the whole train. Chairman Hancock said they would need a train so they would be able to empty the entire thing. He researched the trash pumps with Rebecca and they will not work over here. Did do the research on this.

[9:44:48 AM](#) **Motion by Commissioner Young to approve resolution #2019-20 for disposition of mentioned county property. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.**

- **UPDATE**

[9:45:25 AM](#) Chairman Hancock asked if they will have to dig out this soft spot in the parking lot. Jerry is hoping it will stop raining. It will depend. When they roll this it makes it worse. Chairman Hancock said they can dig this down two feet and put in pit run back in and redo this area. Jerry asked if they are done on the other side. Chairman Hancock said they will be another week on the other side. Jerry said they need to start hauling top soil. The broom is broke when the pin broke it bent the barrel. This part should be coming in. Doing some crack sealing on some of these roads. Chairman Hancock asked who does this. Jerry said they have Asphalt Maintenance doing this. Chairman Hancock asked if they do not do this themselves. Jerry said it is just as easy for them to come out and do this. They did try a few years before.

## **COMMISSIONERS**

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

[9:47:30 AM](#) Colleen brings up the chairs they cannot get a reduced price on these black chairs. Not sure if they want to decide or if they just want to authorize her to get some. Commissioners think they will just give her authorization. Colleen said they could start with fifty chairs. If they went \$100 a chair that is \$5,000. Chairman Hancock said they would like stackable chairs. Colleen said they will need tables and chairs for the commission. Chairman Hancock asked where they would take this from. Colleen said they have \$10,000 in office equipment. Chairman Hancock thinks that they could give her authorization to get these ordered.

[9:50:13 AM](#) **Motion by Chairman Hancock to give authorization for our County Clerk to get conference room chairs up to \$5,000. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.**

[9:50:50 AM](#) Colleen said they will need to be getting this added onto their insurance. Chairman Hancock said this will be about \$4,500,000. Colleen thinks with all the equipment might be around \$5,000,000. Chairman Hancock will go over today and see when D.L. Beck is no longer insuring this. Might as well get this insured now so they do not have any issues with a gray area. Colleen said this could overlap. Discuss amounts for coverage.

[9:53:51 AM](#) **Deputy Prosecutor Weston Davis left room**

[9:53:55 AM](#) **Prosecutor Paul Butikofer left room**

[9:53:58 AM](#) Commissioner Clark asked that they check if they need a dollar amount. Chairman Hancock said the building is \$4,500,000. Commissioner Clark asked how much the technology costs. Chairman Hancock said the technology was part of the building bid. Commissioner Young said they may need to look at inflation for replacement costs.

[9:55:58 AM](#) Chairman Hancock asked if they submitted a bill yet. Colleen has not seen anything.

[9:56:07 AM](#) **Prosecutor Paul Butikofer is in room**

[9:56:10 AM](#) Scott had met with them on the water costs. Had discussed maybe knocking \$20,000 off of this to make this official. Has also not seen a pay estimate for the month. Will wait and see if they have anything next week for them.

[9:56:50 AM](#) Rebecca said they did not schedule a construction meeting this week. Chairman Hancock thinks they can just go talk to them at this point they are almost finished. Rebecca needs to talk about designating the assembly room as an emergency room will bring this up next week. Maintenance training is tomorrow morning at 10:00 on how to run the boilers.

[9:58:15 AM](#) **Prosecutor Paul Butikofer left room**

[9:58:39 AM](#) Commissioner Young asked if the meeting room is done. Chairman Hancock said they were still working on this Friday. Rebecca said there is still some trim that needs done. Had spoken on the Extension room and had said that tomorrow would be better. Mitch said they have started loading trailers this morning.

[10:00:00 AM](#) **Prosecutor Paul Butikofer is in room**

[10:00:04 AM](#) Rebecca has spoken to Loren about getting stuff out of this room. Chairman Hancock said they really needed to get this done. City of Rexburg has given them a temporary certificate of occupancy. Are waiting on the inspector for the elevator from Boise. Asked who has the keys. Rebecca said Loren was going to work with Captain Wolfe directly. Chairman Hancock said they need to make sure they have the necessary keys.

- **FAIR BOARD LIAISON – (ACTION ITEM)**

[10:01:52 AM](#) Chairman Hancock said they need to have a liaison for the fair board. Asked for a volunteer. Commissioner Young said that he can do this since Commissioner Clark is heading the census committee.

[10:02:50 AM](#) **Motion by Chairman Hancock to appoint Commissioner Shayne Young as Fair Board liaison. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.**

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

[10:04:06 AM](#) **Motion by Commissioner Clark to approve certificate of residency for the College of Eastern Idaho for Clansy Allen. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.**

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

[10:04:41 AM](#) **Motion by Commissioner Young to approve commissioner meeting minutes from March 18, 2019. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.**

### **NOXIOUS WEEDS & INVASIVE SPECIES – MITCH WHITMILL**

- **PUBLIC HEARING – FEE INCREASE – RESOLUTION #2019-18 - (ACTION ITEM)**

[10:06:09 AM](#) Chairman Hancock said they will go into a public hearing for a fee increase regarding resolution #2019-18. Chairman Hancock reads resolution #2019-18. “At a meeting of the Board of Jefferson County Commissioners, State of Idaho, on the 15<sup>th</sup> day of April, 2019, the following was adopted to wit: Whereas, the Board of County Commissioners held a public hearing for the fee increases in the Noxious Weed/Invasive Species Department on April 15, 2019 in the Commissioners’ Meeting room at 210 Courthouse Way, Rigby, Idaho; and Whereas, the fee hearing was held in accordance with Idaho Code 63-1311; and Whereas, the public notice of the hearing was duly published in The Jefferson Star on March 27, 2019 and April 3, 2019; and Be it therefore resolved that the Board of Jefferson County Commissioners hereby authorizes the increase in fees for: Contract labor rate from \$22.50 an hour to \$30.00 an hour, contract equipment rates from \$22.50 an hour to \$40.00 an hour, contract chemical rates increased thirty percent, retail chemical rates increased thirty percent, backpack fee increased thirty percent and equipment rental rates increased thirty percent. These increases shall be effective upon the signing of this resolution. Approved and adopted this 15<sup>th</sup> day of April, 2019.”

[10:08:09 AM](#) Mitch said they have a full set of documents at the Clerk’s Office to see the rate increases. Does not think anyone requested these. Chairman Hancock said this was published in the paper. Asked Mitch to describe why they are increasing these fees. Mitch said these fees were originally established in 2007. Have inflation in costs. The rates for chemicals and equipment have increased. This is for primarily irrigation pastures. Does not spray lawns because there are a lot of private companies that can do that. This is to help cover the overhead of their employees. They purchase chemicals at government pricing. Do retail some of the specialty products. Can retail this to the public. With the increases they have tried to keep their rates down. Prefer to send people to the local retailers.

[10:12:18 AM](#) Chairman Hancock asked if they have anyone signed up to speak in favor, against or neutral. There is no one signed up and no one in the audience that wishes to testify. Closes the public hearing and will move toward deliberations.

[10:12:52 AM](#) **Prosecutor Paul Butikofer left room**

[10:12:52 AM](#) Commissioner Clark said they have not had any increase in twelve years. They need to cover their costs. Commissioner Young thinks this still looks very reasonable to him. Mitch said he has a program that breaks down everything on the increases. Chairman Hancock thinks they try to offer a good service for the citizens. Mitch said they also assist BLM and Forest Service. Does not want to subsidize their labor.

[10:14:31 AM](#) **Motion by Commissioner Clark to approve resolution #2019-18 for fee increases. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.**

- **MEMORANDUM OF UNDERSTANDING – CARIBOU-TARGHEE NATIONAL FOREST– (ACTION ITEM)**

[10:15:05 AM](#) Mitch said he sent these to Weston but failed to send them to them. This is for the CWMA (Cooperative Weed Management Area) group. This is a harmless agreement made by the Forest Service. This is non-binding. Broad coverage. Weston has reviewed this and did not have any issues. This is the same contract from the past thinks this is every five years.

[10:17:00 AM](#) **Motion by Commissioner Clark to approve the participation in the MOU with Jefferson County and Caribou-Targhee National Forest Service. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.**

[10:17:48 AM](#) Chairman Hancock said a lot of others have to sign this agreement. Mitch said they just file each of their signatures instead of sending out a fully executed copy.

- **ITD WORK AGREEMENT – (ACTION ITEM)**

[10:18:40 AM](#) Mitch has the work agreement with the Districts six transportation department. They treat the state highways beyond the distance of their trucks. Treat I-15, Highway 20, Highway 33, Highway 48 and Highway 28. There is 113 state miles within the county they maintain beyond twelve foot for the state. They only have a roadside truck. Have been a good partner. This is a good piece of their program. This contract allows them to put an applicator on equipment. This usually takes about thirty days and then they use the operator and equipment back on other county projects. Helps keep their funding with this contract. Met with them and have increased the rate from \$11,900 to \$18,000 to cover the costs to do their work. Only do up to that amount and then they do not do anymore. There is no burden on the county to spray the state highways. They just use the dollars appropriated. Commissioner Clark asked if the \$18,000 includes chemical. Mitch said yes this is chemical, labor and equipment. These are using the rates they just approved today. Chairman Hancock asked how far they get with this amount. Mitch has broken down all of the roads to spray everything they have would be around \$39,000 at the new rates. This is how much it would cost to have all of the ground they would like to have done. May try and come closer to this in the next budget in July. Then they could cover more ground. Only treat up to the approved amount. Gets about half of this. Chairman Hancock was wondering how much they got done. Mitch said they go to this amount unless they approve more. Did come to them last year due to a broken down truck and they treated I-15 for an additional \$14,000. Chairman Hancock asked if Weston reviewed this. Mitch said he has the same documents just an increase in price.

[10:23:30 AM](#) **Motion by Commissioner Young to approve the work agreement with Noxious Weed Country for Jefferson County and Idaho Transportation Department District #6. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.**

- **OFFICE HEATING/COOLING – (ACTION ITEM)**

[10:23:55 AM](#) Mitch said they do not have any heating or cooling in the office. Do have people in the office all day long. In the winter they have to use additional heaters under their desks. Then in the summer it gets really hot. Have looked at a central heat system. This is a single mini unit. This has an air conditioner and heater.

[10:25:29 AM](#) **Deputy Prosecutor Weston Davis is in room**

[10:26:18 AM](#) Mitch said they do have a wall unit and this is right behind his desk. It is not very efficient. This would be more consistent heating. Also with this they built a collection hood over the welding and fabrication area. The smoke gets throughout the whole building. The hood does not have the fan system yet. This bid is for the furnace and the exhaust fan system. The hood is built. This is just an automatic ventilation system. Did get three bids. Provides a description of what the mini unit is. Have Conan, Modern Heating and Plumbing and First Call Jewel. First two do not include any electrical. Have a comparative price from Jewel without electrical to install these systems. Conan is \$9,700 for the heat and exhaust systems. Modern is \$8,400. Jewel is \$8,300. Jewel will do the electrical and has not had an outside bid from an electrical to do the electrical. Chairman Hancock said it would be \$9,183. Mitch said this is with the electrical.

[10:30:12 AM](#) **Prosecutor Paul Butikofer is in room**

[10:30:14 AM](#) Mitch said the Jewel is a Mitsubishi system. It is comparable to the Lennox system. Chairman Hancock said the other two are Lennox. Mitch said they had different variations. Really broke down everything they will do. Chairman Hancock said they will deduct \$600 if they provide a scissor lift. Mitch said they do not have one. Not sure how much it would be to rent one. They only have a forklift they could put a pallet on. Chairman Hancock said electricians are hard to get right now. What do they have in the budget for the capital improvements? Mitch said as of 4/8/2019 in capital building upgrades has \$15,024. Have plenty of budget for this. Chairman Hancock said they will probably want to include a purchase order on this. Mitch asked if they have something in place. Rebecca can create another one if they want to attach this. Chairman Hancock said these are things the purchase orders are for. Mitch thinks the best option would be Jewel. Was surprised with the good price. The systems are comparable. Chairman Hancock said they want to have them provide everything to get this in place. Mitch would rather have Jewel come and do the wiring and the entire system. This is an electric system. The shop is on propane.

[10:37:13 AM](#) **Deputy Prosecutor Weston Davis left room**

[10:37:23 AM](#) Chairman Hancock asked if they thought electrical would be better than propane. Mitch said they did. Chairman Hancock said that natural gas or propane sometimes can be cheaper than electric. Commissioner Clark said the price of propane varies. Mitch said they do not have natural gas out there they did not run this across the river. Commissioner Young asked how many square feet. Mitch said this is around 300 square feet. About the size of this room maybe a little smaller.

[10:39:20 AM](#) **Motion by Commissioner Clark to approve bid from First Call Jewel for electrical for the heating, air condition and an exhaust fans for \$9,183. Chairman Hancock said they will issue a purchase order on this. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.**

**ELECTIONS – SHONNA ALLRED**

- **DESIGNATE POLLING LOCATION – CITY OF MENAN – (ACTION ITEM)**

[10:41:24 AM](#) Shonna is here they are working on designating a polling location for the next election. City of Menan will have a levy election. This will be at Menan City Hall at 664 N 3530 E in Menan, ID. Have contacted the workers and are ready to go. The Menan precinct is City Hall. Have never done a city election but they are similar to a school election. Chairman Hancock asked if they just have the one polling location. Shonna said they do.

[10:42:43 AM](#) **Motion by Commissioner Young to designate the polling location for the City of Menan levy election at Menan City Hall 664 N 3530 E in Menan Idaho. Election is on May 21, 2019. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.**

**CLERK – COLLEEN POOLE - HR – REBECCA SQUIRES – CAPTAIN LYNN PARKER**

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

[10:43:35 AM](#) Chairman Hancock said they are looking at the Jefferson County Key Control & Issue Policy addendum number seven. Colleen said they put together a key control policy committee which consisted of elected officials, department heads and Commissioner Young. Met twice first time they felt they were thoroughly through the policy. Main highlight they felt like the last policy was vague and there were a lot of keys out there. Have done a new form. Each department will need to do an inventory onto the new forms with an update on keys. Spencer has gotten a program that John Wolfe can put in so they can see who all has what keys and specific keys. Basic change the new form will be filled out by the elected official or department head. Will keep the original in the personnel file and a copy to John Wolfe. Sheriff's Office wants to make sure that they department or elected official has the authority of who has keys to their area. They hand out the keys according to the sheet. The sheet has been designated that they sign for each key. There is a signature for approval from the department for the key.

[10:46:33 AM](#) Rebecca said Colleen covered this very well. They as commissioners may be approached about having access to a certain area. They would have to give permission for access. Other item is the dark highlighted area they did include buildings not in the courthouse complex. Such as Weed Department, Solid Waste, Road & Bridge. The key policy applies but each of these departments will be responsible to implement this policy in their area. They would secure and issue keys in these areas.

[10:47:40 AM](#) Chairman Hancock asked on the response on this from the other buildings. Rebecca said it does not change anything this is how they are already doing this. Chairman Hancock asked the Sheriff's Department feels. Captain Parker said that John feels good about this and is on board. Colleen said a lot of the ideas was from them. Did not want to make more work for them. Feel this is a good time with the annex coming on. Commissioner Young said the department heads have more responsibility. Colleen said if they get a new employee a former employee can turn keys into the department head or elected official and then they can issue these to the new employee. Provide a copy to John and they have a clean record. Commissioner Young said now the department heads will sign off. Paul said the way it sits right now they are on board. Chairman Hancock appreciates their efforts. Colleen said they spent a few hours on this. Appreciates Commissioner Young's input.

[10:49:37 AM](#) Rebecca said Chief Deputy Wolfe did the big changes since he was affected the most by the policy. Chairman Hancock said Captain Parker is here representing him.

[10:50:08 AM](#) **Motion by Commissioner Young to approve Jefferson County Key Control & Issue Policy amendment number seven amended April 15, 2019. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.**

[10:51:41 AM](#) Recess until 11:00

[10:52:46 AM](#) Prosecutor Paul Butikofer left room

Open session 11:03

**PARKS & RECREATION – MICKEY EAMES**

- **CAMP HOST CONTRACT – (ACTION ITEM)**

[11:03:35 AM](#) Mickey has the contract for the camp host. Have Tom and Peggy Stone staying at the lake. Chairman Hancock asked if they are retired. Mickey thinks she does auditing and taxes. Felt it is better to have a couple out there. Tom is a handyman. Only changed the days they have off. This has been approved by Weston. Will receive \$550 a month with \$275 distributed every two weeks. Changed the days off to Tuesday to Thursday. Needs someone out there on Sundays. Will have a rotation so they always have someone out there.

[11:08:20 AM](#) **Motion by Commissioner Young to approve camp host contract between Jefferson County Lake and Tom and Peggy Stone from May 1, 2019 until August 31, 2019. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.**

**ASSESSOR – JESSICA ROACH – GIS – ERIC SMITH – IT – GARN HERRICK – CANCELLED**

- **GIS DATA RENEWAL INVOICE**

**CLERK – COLLEEN POOLE**

- **AG EXEMPTIONS – TAX EXEMPTIONS – (ACTION ITEM)**

[11:09:49 AM](#) Colleen provides tax an ag exemptions. Commissioners review information.

[11:13:19 AM](#) Motion by Commissioner Young to approve tax exemption for parcels #RP07N35E254202, #RP07N35E256160 and #RP07N35E269000 for Mud Lake Water Users. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.

[11:14:12 AM](#) Motion by Commissioner Young to approve tax exemption for parcels #RP06N34E230005, #RP06N34E230050 and #RP06N34E243200 for Mud Lake Water Users. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.

[11:14:50 AM](#) Motion by Commissioner Young to approve tax exemption for parcel #RP06N35E113020 for Mud Lake Water Users. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.

[11:15:27 AM](#) Motion by Commissioner Young to approve tax exemption for parcel #RPD0221022001A for Roberts Community Church. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.

[11:15:41 AM](#) Motion by Commissioner Young to approve tax exemption for parcel #RPD0221013004A for Roberts Senior Citizens. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.

[11:16:11 AM](#) Motion by Commissioner Clark to approve ag exemption for parcel #RP00382001004A for Mathew Klingler. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.

[11:16:31 AM](#) Motion by Commissioner Clark to approve ag exemption for parcels #RP04N39E290250 and #RP04N39E290145 for Bryce Harris. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.

[11:17:05 AM](#) Motion by Commissioner Clark to approve ag exemption for parcel #RP006070010010 for Robert Mickelsen. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.

[11:17:30 AM](#) Motion by Commissioner Clark to approve ag exemption for parcel #RP04N39E149280 for Hector Martinez. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.

[11:17:51 AM](#) Motion by Commissioner Clark to approve ag exemption for parcel #RP04N38E026948 for Kent Briggs. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.

[11:18:35 AM](#) Motion by Commissioner Clark to approve ag exemption for parcel #RP04N39E230776 for Tyrell Courchaine. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.

- **COURTROOM DOOR LOCKS – (ACTION ITEM)**

[11:19:15 AM](#) Colleen said the Supreme Court is doing a vulnerability assessment with counties throughout the state. Coming the end of the month to do a physical assessment. On the doors from the courtroom to the courtroom hallway have key card access on both sides but presently only locks on the courtroom side. Need this locked on both sides. Got some bids for this. Thinks Travis spoke with Chairman Hancock on this. Has some updated information. Thought they could activate the key card on that side but they have to change out the door knobs because they do not lock on the other side. Maintenance Travis Thompson said these retail for \$580 but can get them or \$340. It is \$70 to \$100 to install these depending on the place. Or could have Kirt Hayes who works on these already show him how to install these. Would get them at the lower price and he can get this taken care of. Chairman Hancock said this quote is \$344.13 for each door knob. Travis said the other quote was \$450 with \$100 to install. Thinks going through Kirt Hayes would be better. Chairman Hancock asked if he is willing to do this. Travis said he would it would only cost if he had to rekey each door. Would show him how to do this. Colleen understands the key card is activated so once they change the knobs it will be done.

[11:22:00 AM](#) Chairman Hancock asked if they have the budget. Colleen has \$2,000 in office equipment/repair line and has \$13,000 in a miscellaneous line. May have to do more of this when the Supreme Court gets here. Does have this in the court budget. Chairman Hancock asked if there is any other discussion. Seems expensive but they have to do this. Colleen said this is for seven

doors. Travis said the old door locks Kirt said if they do not want to keep these he could try and sell these. Commissioner Young asked if these could be used. Colleen said they have a lock on one side. Chairman Hancock said they use those kind all over the building may want to store these somewhere. Colleen appreciates Travis trying to defer the costs of installation.

[11:23:56 AM](#) **Motion by Commissioner Young to approve purchase #429740 of lock sets for courthouse for \$2,408.91. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young– aye, Chairman Hancock – aye. Motion passed.**

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

### **• UPDATE**

[11:26:55 AM](#) Kevin said they have a temporary CO. For a complete CO need to have landscaping, paving, elevator inspection and the fire alarm inspections. Sounds like these will happen this week. Commissioner Clark asked if they got the CO on Wednesday. Kevin said they got this on Friday. Had some fire blocking they had to foam so this would not wick like a chimney. Then they have the elevator. Loren will balance the systems this may already be done. Commissioner Clark asked when they are coming. Kevin said it is supposed to be the first of the week is only coming from Pocatello now.

[11:27:38 AM](#) Kevin said the work camp may come help Tammy. It worked well were able to get a lot of the big stuff out of their office. Really appreciate the nice place to work. Thinks this will last a long time. Did get a little scratch on a desk but it worked out well. Have an open house tomorrow for a public meeting for the area of impact. Not sure what to expect. This is at the school district office.

[11:30:50 AM](#) Do need to finalize a date for the public hearing. Need to finalize a map. Was asked to look at making this smaller. Mayor Richardson likes the way this is. Chairman Hancock said they would like to wait and see what the public says in the public meeting. That way they can voice their opinions and have their input heard. Knows that Chairman Belnap will be conducting this.

[11:32:13 AM](#) Kevin said they need to publish this week to have a hearing on May 6. Chairman Hancock said they will not be here that day. Will be starting late on May 13 will do 12:00. Kevin will look to have the hearing that day.

[11:34:39 AM](#) Kevin said they have the written decision on the Gilgen property. Sees this is on the agenda later in the day. There is a lot of question if the impact agreement is valid and if this was ever implemented correctly. Weston and Paul Ziel are reviewing this. Anytime they change zones this has to be done with a public hearing. Changed zones in Ririe and they never had a public hearing. Cannot find where this has been done. Chairman Hancock would like him to be here later when they come in. Chairman Hancock asked if they are working on getting everything on Challenger Pallet. Kevin said Jeff is getting this gathered. They were moving and are getting this all out. Chairman Hancock said they sent a note out because he was having an issue with an individual living in a shop while they build a home. Kevin said they want to live in a shop while building but the safety standards are not up to code.

[11:38:31 AM](#) Kevin brings up the storage area. Chairman Hancock said they were down and looked at this. Need to get stuff out of there. Kevin said they can use the file cabinets from the courts who no longer need them. Can take the files that are not current and could take them downstairs and file them out of the way. Would like to set these up. Is available tomorrow or Wednesday. Colleen does want to have to have them out of there. Trying to move clerks around to get ready for the murder trial. Kevin said they could use two or three of these for his files. Other departments may also want to use these. Does not know how many total there are. Colleen said ten or twelve. Chairman Hancock said Madison County took a chainlink gate and put up chainlink fence and have a lock on the gate portion. For future expansion they want to be able to design and utilize the major portion of this space. Want to do the least they can to interfere with this. Kevin said they will not put interior walls. Chairman Hancock said the time will come they may have to utilize the basement.

[11:44:45 AM](#) Commissioner Clark said someone called from out in Roberts seeing if they got the correct information. They are wanting to add an addition to a farm house. Whether this is setting a little too close to the road. Was told to do the addition would have to get a conditional use permit and go to Planning & Zoning where they are just building on. Kevin said if it meets the setbacks and zoning. Sometimes they have a pre-existing structure. As long as they do not expand this structure it is fine. If they want to make this bigger they have to meet this. Commissioner Clark said they were concerned had time to do this right now. Was told they had to go to Planning & Zoning and then the commissioners. Kevin said if this is a non-conforming lot they could issue a variance. This is one of the administrative things to limit the amount of hearing they are having. Commissioner Clark thinks the existing house may be a little too close. Told them to get ahold of him. Kevin said he will look into this.

[11:49:02 AM](#) Recess until 12:00

**Open session 12:02**

## **FIRST AMERICAN TITLE – SHANEY SWANSON – TERESA ANDERSON**

### **• PROPERTY LIEN – (ACTION ITEM)**

[12:02:54 PM](#) Chairman Hancock said this will be for information since they do not know what they will be looking at. Shaney Swanson with First American Title here in Rigby. Here is about a partial release on a medical indigency lien. Does not have a current file they were alerted to this by Alliance Title. Their customer is the Dale and Kate Tyler. Dale and Kate are selling a piece of property.

Brought a map and shows the parcel print out. Chairman Hancock asked which one is being sold is this twenty-five and twenty-six. Shaney said yes both are under the same parcel number. Understanding there is no building permits on this due to some issues. This is a rumor so thought this is why the value is the \$6,600. Alliance has a file for these individuals to sell to someone else. Has not seen a purchase and sales agreement. Did get a copy of their title report but left this at the office. Could look at this to show both parcels on this. To her understanding both parcels are being sold. When Alliance did the search in the chain of title there is a Keri Byington that owned this property. So in their chain they have a medical indigency lien recorded against Keri and her husband Robert. Has a copy from October 1999 between Jefferson County and Robert and Keri Byington. Alliance called over to Amy. Amy could not find anything on this. So Alliance called them to see if they had dealt with this in their file. They insured the Days when they bought this property in 2015. Alliance asked if they dealt with this. Pulled the file they did not show this on their chain sheet. The examiner that did this no longer works here. Could have missed this in the chain or did not check the names they do not know. Told Alliance they did not deal with this in their file. Alliance did a file in 2007 on Keri. First American has never done anything with Keri herself. Alliance has a file with Keri and her new husband so she is now Keri Miller. In 2007 Keri Miller deeded property to Richard and then Richard purchased a different piece of property. Are currently being assessed for a mobile home together and he is being assessed for a piece of ground. Alliance did not deal with it in their file and First American did not deal with this in their file. From what they are trying to figure out from Amy who is new that nothing ever happened. The county never tried to collect as far as Amy could tell. There is a lien in 1999. Then there is an agreement between Keri and the county to pay \$100 a month. But according to Amy nothing was ever paid. Was sent a payoff of around \$16,000. Believes that Robert Byington has passed away but is not positive. Now Keri has remarried and is Keri Miller. Alliance has sellers who were trying to sell this. Looking for a partial release from Alliance's sellers who are not the person on the lien.

[12:10:15 PM](#) Colleen said Keri is on the paperwork for the indigency. Shaney agrees does think the bills were for him but she did sign the agreement. Chairman Hancock said the problem is the reason they take out the liens is to protect the county and the taxpayers. Whenever the land is sold then they collect the money since the majority usually do not make payments. Hard to give any release until they collect the fees. Need to protect taxpayers. This is their money that makes these indigent payments. Someone will need to pay \$16,000 to be released. Will need to do more research on this. Understand that this is their only basis to collect any of this money.

[12:12:27 PM](#) Shaney said as part of this process other counties send them to collection. Chairman Hancock said they have spoken about this recently. Have a list on those not paying Colleen said they currently do not do this. Chairman Hancock said typically the collection agency takes fifty percent. Shaney asked about garnishment of wages. Then they are getting this from the person. Chairman Hancock said their legal department has frowned upon this. Sometimes people that are indigent do not work. Shaney said Keri got this property in 1999. Did a timeline for them. The first thing the lien went to record October 6, 1999. Keri Byington a single person bought this in a Quitclaim Deed on November 8, 1999. That deed is recorded. Title companies try and keep track of when they do files or searches. Part of that is the county will write who recorded document. Cannot tell if this was a file it is a horrible copy from when Keri got this. Keri signed a reimbursement of December of 1999 to make \$100 payments established January 15, 2000. Keri signed a Quitclaim Deed as Keri Miller to Richard Dempsey of November 3, 2006. This was reordered by herself so there was no title company or insurance involved. Alliance did their file with Keri and Richard buying another property in Ririe. They did insure when Richard bought this in 2007 but did not deal with the lien. Could have checked Keri Miller and not Keri Byington. Chairman Hancock asked if this is the same property. Shaney said they should check either way when they buy or sale. First American missed this in 2015 and Alliance missed this in 2007. Feels that First American's name is being thrown under the bus so wanted to spread around the joy because they both missed this. If they do not want title insurance they can deed property without going to a title company. It would be each other's word that there are no liens on this. Colleen said you would not be happy to find a lien. Shaney said next is Richard deeds this to Dale and Kate which was insured by First American. Now a new sale from Dale and Kate to a buyer. There is a twenty year gap between the lien. This is more information for them. As far as the new people that are trying to sell this the Tylers do have a policy from First American title insurance they would make a claim on their insurance policy this was a \$5,000 policy. Chairman Hancock said maximum they would get is \$5,000. Shaney said maximum is what they purchased for title insurance. The premiums are adjusted as to the amount. Pay on them forever until that party dies then can make a claim. Title insurance they have underwriters owners would make a claim under the policy that the lien was missed. They would possibly agree to the claim which is \$5,000. Chairman Hancock said it looks like Alliance missed this in 2007. Shaney said this was not dealt with and Alliance did a file in 2007. According to Amy nothing has been paid.

[12:19:25 PM](#) Chairman Hancock said they will take this under advisement. Will make no decisions today. Shaney asked if they would like any copies. Has the information of where Keri lives now. Chairman Hancock asked if this is a different parcel and if there is a lien on this property. Shaney said Keri was never deeded onto this property but Quitclaimed off to be his sole property. This is community property which there is a debate in that second of time before the Quitclaim Deed was recorded does this attach. Chairman Hancock said he does not know. Shaney said they would have asked about this. When they have someone buying property they check

the buyer and seller. Let them know when they take title this lien will attach to the property. Tell them if they want to pay this or have this be an exception to coverage. If a bank is involved the bank will make them pay this. They do not have that kind of power but a bank can or they will not loan out the money. Want to be in first place on the property. If this is a cash transaction they disclose this and once they are in ownership it attaches. Could get a payoff or it would just not be covered by the insurance policy from the underwriter. There is a lender and they have questions they ask with a cash deal. Cannot make them pay. Trying to get this connected back to Keri Byington. Chairman Hancock said they are still not sure if this is attached. Shaney wants to get this more current and back in the right place. Now there is a state website where liens are recorded. Believes Mandy in her office said the county also files at the state level. Colleen said they do because they have to make sure they release both. Shaney provides a partial release. Or they could pay their attorney to prepare one. Chairman Hancock said they will give this to legal but it may not be a partial release. Shaney said they want the county to get paid but the system is not awesome on trying to collect anything. Chairman Hancock said they are working on this. Commissioner Clark said last week they generated a list of what is out there.

## **PROBATION – TAMMY ADKINS**

### **• INFORMAL/FORMAL PROBATION FEES INCREASE – (ACTION ITEM)**

[12:25:41 PM](#) Tammy said this is informal and formal probation fees. Will explain since they talked on this with the old commissioners. Will start with formal fees first. Cost of supervision is set by statute and administrative order has these attached. The Administrative Judge will set these fees will be for misdemeanor and adult probation. Attached Idaho Code 20-225 and misdemeanor cost of supervision code 31-3201D. Back years ago they charged \$50 a month the statute allowed them to charge up to \$75. Charged \$50 because they were also charging \$40 for the drug testing program. So those on a drug testing program would pay \$90 a month. These were all collected until August of 2018 by Probation they kept a spreadsheet to track the cost of supervision or drug testing and turned this into the Clerk's office on daily on turnover sheet. In October of 2018 when Odyssey came into effect the law changed and rules changed. These fees that are set by statute have to go through Odyssey. If the fee is not set by statute the county has to figure out how to bill and collect. In October 2018 this created a lot of confusion because they have to make separate payments to probation and the courts. Collections are different because the court clerks have to put in collection avenues. Some discussion but let this go to let this clear out. Rules were not in place for courtesy supervision. When they send someone to Bonneville County for them to supervise how do they get reimbursed for doing the work. Odyssey as of April 1 put a rule in place to deal with this process. In the meantime they have a lot of separation on where people pay and how much they owe. Colleen said they have to have somewhere to put this in Odyssey. Tammy said for the formals they will not allow drug testing into Odyssey fee. Still tracking this through Probation. Has looked at for the first part of formal fees some counties charge a flat fee for the cost of supervision that includes drug testing. Supreme Court changed the priority of payments. Someone may owe \$1,000 to the court but it is set by statute of where this money can go first based off of priority of payments. If they owe a certain fee that comes above another fee they pay the payment the computer automatically disperses the money where it goes. Cost of supervision, restitution and drug testing did get moved up were thirty in the list and now are fourth or fifth in the list because they were not sure how they would fund the department without these fees. Did get bumped up in the priority of payments to help fund the probation department. Chairman Hancock said this is distribution of these fees. Tammy said this is to who they distribute these fees to. Proposal is for the formal fees would increase these by statute from \$50 to \$75 and do away with the \$40 drug testing fee. This would eliminate confusion. Visited with Judge Crowley and he was supportive of this understanding Odyssey and how this works. Drug testing about seventy-five percent will love the change because they will pay less fee than they do now. The ones not in drug testing will pay more. Looked at projections in the juvenile and adult collected \$1,099 in cost of supervision and \$462 in drug testing. Took an average of a twelve month period with 21 juveniles at \$75 a month they would actually collect \$14 more in collection for juveniles. In the adults they were like \$11 less in collection. Proposal is they just charge one flat fee of \$75 a month. This is the maximum of what the statute allows. Did talk with Weston where this is set by statute if they needed to follow Idaho Code 63-1311A for more than a five percent increase on county fees. When he looked into this he could not find anything where it says they did not have to follow this and recommended to do a public hearing. Is not sure on this process Chairman Hancock said they would have two weeks in the paper and a public hearing. Tammy said this is her recommendation. Is also discussion with the district wide court administrator to mandate every county in the district to do this the same way. Created havoc in the Odyssey system. All of the counties charge something different. Causes problems when they do courtesy supervisions in Upper Valley they charge \$75, we charge \$50 and Bonneville County charges \$60. Trying to set these across the board because it is chaos right now when supervising from another county. Is some discussion on this but Tammy White was waiting to see. Have been dealing with since October. Wanted to jump in with both feet because she thinks it will be easier to collect and easier for the defendants. Colleen said they will not really lose any revenue. Tammy does not think there will be much of a loss thinks there may be an increase with this being mandated as part of the court and can see this through the Odyssey system.

[12:35:09 PM](#) Tammy said that is the first portion is not sure if they need to decide on this before she continues. Chairman Hancock said they could approve to have her proceed with publications and changing this. They will listen thinks it makes sense.

[12:35:57 PM](#) Tammy has never done one of these hearings before. Hoping Colleen knows on the hearing process because she has not done this. Chairman Hancock said Colleen or Rebecca could help her. Tammy asked if this is a normal commissioner hearing. Chairman Hancock said it is a public hearing and allow those for, against and neutral testify. Tammy will get with one of them and move forward with this process.

[12:36:40 PM](#) Second part is informal probation fees are the confusing part. Back two pages are resolutions done by the county in 2002 and 2005. What happened when they first did misdemeanor probation and drug court. County did a resolution on charging informal fees and what deferred payment fee agreement charging individuals this fee with the court. Could charge this fee through ISTARs. When Odyssey went live in 2018 the Supreme Court said this is only a state system and cannot be used to collect county fees. Colleen had advised the court clerks to remove these fees from Odyssey. Have not been charging this fee since October 2018 that was set by resolution. Trying to see what the process would be. Was told all along the county could do this they just cannot use Odyssey. Colleen said they cannot put this into Odyssey because it is not by statutes. Chairman Hancock asked if they looked at IWorks was something that she could look at. Tammy got with Kevin and it did not look feasible for the court clerks to use. Trying to see if they would change the statute. Did change some and have added a juvenile statute for the formal fees. This goes into effect on July 1 so they can charge the same amount as adults. This would be both juvenile and adults. On the informal this is still a county fee. Had a hard time getting numbers with the change of systems. Went to Supreme Court to see some data to see if it is worth the amount. In 2017 had 98 defendants on informal probation, 2018 had 128 defendants on informal probation and 2019 the average will bump up to 152 based off of projects. Put some figures with \$35 a month for 2017 collected about \$3,400, 2018 collected about \$4,500 and projects 2019 collection around \$5,300 if they kept this. When she visited Judge Crowley about this he was not opposed to this one way or another wanted to have you decide how to do this. The concern is looking at a system or payment process to allow how they bill this fee. Where will it be tracked and monitored. Colleen does not want to say they will not charge this fee anymore. Tammy said there is a resolution on this. Came up with a few options presented.

[12:41:19 PM](#) Tammy came up with some options would be absolve the current resolution and not charge this fee potential for revenue is zero but additional costs would be zero. Option number two court clerk would develop a financial collection system and charge \$35 to enforce this collection. Potential revenue would be \$5,320 but may need staff to monitor this which would be additional costs. If they went this route her suggestion while already increasing a fee would suggest to increase this to \$75 a month. Option number three visited with the Judge is on informal probation normally they are given a task or given court probation and nothing further happens. The workload has increased 125 percent because Judge Crowley has requested they oversee a portion of the informal probation. Thought could only charge this informal fee to those that are being sent to the Probation Department and increase this to the \$75 a month. Would be within the same revenue potential with the projected numbers. Then the individual would be those that are being overseen to do something. Probation could track this fee. They have a system in place to collect the fee where the clerk's office does not. Would still look at increasing this to a flat one-time fee of \$75. Colleen said then they do not have to go to different places to pay the fees. Chairman Hancock thinks they could go with option three and raise all the fees at the same time and go with option number three. Already have the system in place.

[12:44:33 PM](#) Tammy thinks option three makes the most sense. They have to meet with them to line up for community service anyway. If the Judge still puts this on their judgement. Already has a system in place to turn money over. Would not require a new system to collect this. Chairman Hancock said they would need a new resolution. Tammy asked if they have to do an amendment or do they supersede this resolution. Will this be after they increase the fees? Chairman Hancock said the resolution will be part of the public hearing. Tammy will need to get with someone to help get the wording to the paper. Colleen has this information. Tammy thought if they could do this all at the same time. Colleen said this has been a headache district wide and Tammy has put a lot of work into this. Will change the juveniles and adults and change the fees.

[12:47:42 PM](#) Chairman Hancock asked if they are moving tomorrow. Tammy said Wednesday. Thought they were having the work camp help but they may not have time. Plan will be Wednesday morning to bring things over.

[12:50:15 PM](#) Recess until 1:00

**Open session 1:00**

## **CITY OF RIRIE – ERIC BENNION**

- **UPDATE ON GILGEN PROPERTY**

[1:01:21 PM](#) Eric Bennion 567 2<sup>nd</sup> East in Ririe, Idaho. Is representing the City of Ririe council. City of Ririe Attorney Robin Dunn is present. Discussed in a previous council meeting about getting an update with the Gilgen property. Did not have the answers they needed. Thought he would come and talk to them face to face. This is a concern and would like to get this issue resolved. Also have the other issue on approval of homes within the impact area. Are concerned and are trying to put some face time in. Chairman Hancock said that have not been trying to avoid this. Have been waiting for their Legal and Planning & Zoning Departments. Have a draft copy of the written decision it is with legal to review. Would think they should have something resolved within the next two weeks.

Eric asked they let them know because he personally would like to be here. For this had to take time off from work. Commissioners discuss meeting dates. Chairman Hancock said on April 29 they will not be here meeting. Will be May 13 later in the afternoon. Robin said the reason they have concern is the city has to take certain actions out there. Closer it gets into spring people are out building and makes it harder to do what they need to do. Following up probably with Sharon Perry knows they are working with the City of Rigby and their impact zone. Waiting to see what they accept with the City of Rigby. Then will use her expertise. Thinks this will be happening. Have had a few issues come up with the City of Ririe on impact zones. Received little or no response from Planning & Zoning Department.

[1:04:39 PM](#) Chairman Hancock said from Planning & Zoning Commission they have drafted the area of impact agreement. This will be a similar template for the City of Ririe. Robin thinks that is the goal. Is sure they will hire Sharon to work on this. Is already doing the City of Rigby. Knows Rigby has more issues but Ririe has two counties. Chairman Hancock said they will need to have a separate agreement with Bonneville County. Robin said they will be a little bit different but wants this to be similar so they are more or less the same throughout the entire county. Chairman Hancock said as far as the Gilgen property they do not have any decisions reached but are getting close. On the 29<sup>th</sup> they will be doing a road tour and will not be available for regular meeting. Will not have one on May 6<sup>th</sup> due to commissioners being out of town.

- **PROCESS – APPROVALS IN AREA OF IMPACT**

[1:07:16 PM](#) Eric as far as the process for approvals in the area of impact could be here for some education. Learning more of the process. Are in the process of renegotiating how this all works. Where they have been this came up with an issue from a previous meeting last month. Had some folks come in they had house plans and wanted to build a house. Were told by the county to go to Ririe. Planning & Zoning had already met so they went to city council. Reviewed their rules and laws and found on a minor technicality they had to deny this. It was a sad thing they were excited they wanted to get a house. With this one that happened could count a lot of one house in the area of impact that have been rubber stamped. Been approved through the county with permits granted. What made this one different from the others? The only thing is they have had this other issue on the plate. Had to deny this based on a technicality of plans but have others that were approved.

[1:09:27 PM](#) Robin said they need to work with them better. These people trying to do this were being ran back and forth between the county and city. Had met four times with government entities. Felt like this was a hot potato and it was being thrown around. Frustrating for them because the county is the trump card.

[1:10:14 PM](#) Chairman Hancock said they have done a lot of research and work on this. Planning & Zoning Chair Mr. Belnap has spent a lot of time on this. Looked at land use codes from the state and based this on what they say. When they develop an area of impact they follow these codes. Need to develop a guideline that is specific for that area of impact. This takes care of a lot of their issues they are experiencing. Trying to develop something that is workable and make sure the area is not so great they have added burdens on certain people that would never receive city services. Want to make sure this is reasonable and there is a possibility they could annex into the city. If there is a new development they are developing to a standard for the city to accept in an annex. Robin said they subdivision with 82 homes with 82 wells and sewers. The City of Rigby is trying to make sure services are available. This is a major task. Is a twenty to thirty year ambitious plan. Chairman Hancock said this has opened their eyes. Really need to look at this and make sure this is done right. Needs to be workable for both parties. Need reasonable and feasible areas. Eric agrees with this. Knows there is a place across the street from Audrey's house that is not sure this complies. Have an ordinance with a 2,000 square foot requirement. Whether this is right or wrong but this is their job to fix this later. Because of this stipulation they had to tell them no. But at the same time they have these new buildings being built the growth is coming their way. Can see the growth Jefferson County has had. The only place not filled yet is Ririe. Thinks it is moving that way. Try to work these things out and get agreements on paper. Need to get a comprehensive plan will help. Does not help those that are getting jerked around by the different municipalities. Not sure who made the decision to send them to the city but made them be the bad guy.

[1:14:34 PM](#) Chairman Hancock said as they develop these it will be quicker once they get one done with the City of Rigby. Can use these as a template. Really encourage City of Ririe to do the same thing. Try to encourage the cities to fix these. If they look at the City of Ririe who has a 2,000 square foot floor plan. Robin said this was originally put in to restrict growth. They required larger lot sizes. This may not be in today's standards.

[1:16:15 PM](#) Eric said that it sounds like under Mr. Belnap they will be working on their planning. Chairman Hancock said they will send information out when they get close. Will get Rigby finalized. Work out their quirks and send this to them. That is why they were put on notice that they will be reworking these area of impact agreements. Robin said as a suggestion would rather this come from the commissioners not from the department. They did get direct correspondence from some departments. Easier when it comes from this body then their sub entities. Eric acknowledges that the county has the final say. Want to be able to move forward with other things and not have this be a barrier in what they are trying to do. Appreciates their time.

[1:18:13 PM](#) Commissioner Clark asked if the house is in the area of impact or outside. Eric said this is right inside this. Robin said they are about a quarter a mile it would not have been. Eric said if this would have been looked at like the rest in the last five years they

would have signed off on this. It is based on county decision. Wanted to know what makes this one so different. Does not feel they were treated equitably.

## **ASSESSOR – JESSICA ROACH – TREASURER – KRISTINE LUND – CHIEF DEPUTY ASSESSOR – JALENE THOMAS**

### **• TAX CANCELLATION – (ACTION ITEM)**

[1:19:48 PM](#) JaLene said in 2018 there was a building permit for this rural parcel for Ball Brothers Produce. Have two parcels one in the City of Lewisville and the other one is outside. On the one there is an existing building. The commercial appraiser in error put the building from the Lewisville parcel on the rural parcel. Came to the offices attention too late after the values were out of their hands. Took this to Kristine thinking a cancellation of taxes was appropriate.

[1:22:19 PM](#) Kristine said she visited with the Assessors on this issue. Drew up a cancellation sheet with information on this. Listed the description as a small equipment shed that was built and the addition was misplaced with a valuation of a potato warehouse at an elevated value. It is on parcel #RP04N38E059380 for Ball Brothers Produce. Took the figures the Assessors gave her and if the cancellation is granted through the board would be a cancellation of \$3,748.90. **(Exhibit A)**

[1:24:14 PM](#) **Motion by Commissioner Young to approve tax cancellation for parcel #RP04N38E059380 for Ball Brothers Produce for \$3,748.90. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young- aye, Chairman Hancock – aye. Motion passed.**

[1:26:19 PM](#) Recess

**Open session 1:33**

## **HUMAN RESOURCES – REBECCA SQUIRES**

### **• PERSONNEL POLICY**

[1:33:31 PM](#) Rebecca said anything dark is in the ICRMP policy and they need to decide if they want to move anything over. The sleep or be absent is not included. Decide to keep this. Tattoos and body piercings have become more generally acceptable. Chairman Hancock had read this section out loud. Rebecca said body art the employee could wear long sleeves. Commissioners leave this in. Rebecca moves to relationships. Chairman Hancock said this is supervising a paid employee that is a spouse. Rebecca said ICRMP did not cover this. Chairman Hancock said in smaller counties they may not have enough positions filled if they were not related. Colleen thinks supervising them would be the biggest issue. Rebecca said they have a sibling and a spouse and wife in the Assessor's office. Commissioner Young asked if they want to limit a supervisor. Chairman Hancock said they would just make sure they do not supervise their own spouse.

[1:41:41 PM](#) Rebecca said they have the candidacy for elected office. Chairman Hancock said they have had instances where a current deputy runs against the Sheriff. If they are retiring it is a different story. Have had too many lawsuits. Colleen said they do not have to fire them it is just in there in case they need to. Rebecca said if they have someone running for office and they used to be supervised by that individual then they can have backlash. Commissioner Young does not think they can make this clean no matter what. Rebecca said it could be a policy that they cannot run for elected office if the current elected official is also running. If they wanted to run for commissioner and worked in motor vehicles that would not be as big of an issue. Commissioner Young said if an employee of Colleen's wanted to run against her then they may need to resign. Rebecca said unless they had someone in the office and she was resigning then she could support them. Commissioners ask her to tweak this language and bring it back in.

[1:46:18 PM](#) Rebecca said later in their policy they have a name clearing hearing. Have the right to have a name clearing hearing. Chairman Hancock said personally he likes this. Commissioner Young said sometimes a supervisor may not have been fair. Rebecca said later it goes over what can happen as a result of a hearing.

[1:48:04 PM](#) Rebecca reads that jobs can be changed at any point. Chairman Hancock believes this should be left. Rebecca goes over another section stating that a deputy prosecutor can also have a name clearing hearing. They are the same as everyone else. Delete this. The next does not see this being necessary but does not have a problem with this either. Only time she can think of this coming up is changing the chief deputy position between employees. Temporary and seasonal employees also have a right under a name clearing hearing can add this up where the other part of name clearing is discussed.

[1:52:20 PM](#) ICRMP says thirty hours a week is full-time our policy says thirty-five. At twenty-one hours they have to offer PERSI at twenty-eight they have to offer medical and thirty-five hours is full-time. Commissioner Young asked if they have any that fall into these categories. Rebecca said they do. Would have to offer benefits at twenty-eight hours. Colleen said if they allow both thirty and thirty-five hours as full-time it may not be as fair. Rebecca said another difference they have prorated accrual of PTO. If they work less than thirty-five hours it is prorated. To do anything on this they would have to change the automatic software. Do they want to keep thirty-five hours as full time? Commissioner Young said they would want to wait until they have software.

[1:55:30 PM](#) Rebecca said the law enforcement is 171 hours in twenty-eight consecutive days. Will leave this in. On holiday pay have someone in the treasurer's office that works Monday and Monday is a holiday they get holiday pay. Unless this is their regularly

scheduled day they do not get paid. Commissioner Clark said that they do not usually work this day anyway. Rebecca said they would not get to take a Tuesday off and call that a holiday. Colleen said if they do not usually work Monday why should they get paid for this. Chairman Hancock said to leave it in.

[1:57:36 PM](#) Rebecca said the next is temporary seasonal employees. So if they may work more than nineteen hours a week is not in the ICRMP policy. Example is working for the weed department and work forty hours a week but is a seasonal employee should they expect medical and retirement benefits. Chairman Hancock said they are exempt from receiving this. Rebecca said to avoid legal tangelments weed department employees are laid off for thirty days every five months. Colleen said right now hired Amy at fifteen to nineteen hours a week but needs more time while learning so can do this for about six weeks and then have to pull this back. Commissioner Young thinks it should be left in.

[1:59:38 PM](#) Rebecca said that this policy does not apply to the independent contractors. Chairman Hancock said they may want to move this closer to the front. Rebecca will organize this once they go through this. Commissioner Clark asked on independent contractors. Chairman Hancock said they have Eric and Bryan. Rebecca said the camp host is a contract position. Chairman Hancock said they would usually not get this information to read anyways.

[2:01:10 PM](#) Rebecca said the Board of Commissioners reserve the rights to make adjustments to the budget. Not sure this needs to be in there since this is their statutorily authority. Chairman Hancock said they could cross this out. Rebecca said elected officials are a set salary. Have no right to overtime pay, comp time or PTO. There are parts of the personnel policy that do apply and other parts that do not apply. Employees determined to be exempt. Could put this under classification under FLSA. If they are exempt they are usually based on a salary basis. Can have exempt hourly does not make a lot of sense. If they are exempt they are not eligible for overtime. Chairman Hancock said at the site they would mandate they work the time over salary as straight time. Rebecca said this is developing the employment culture they want in the county. Should they be paid on salary basis where they are exempt and do not get overtime. It just seems weird to her any other way. Commissioner Young said they are based off of forty hours on salary. Rebecca said they have department heads, Chief Deputy for Probation, legal counsel and IT. They just work the job and do not get any extra compensation for that. Chairman Hancock said to leave this in. Rebecca said overtime compensation have the definition of FLSA and employees for law enforcement. Chairman Hancock said to leave this in.

[2:06:58 PM](#) Comp time policy they changed this around a year and a half ago. Right now she is thirty-five hours a week employee if she works thirty-seven hours the first five hours are compensated per hour if over forty hours it is compensated at 1 ½. Can accrue up to forty hours of comp time then within twelve months have to get this under forty hours. Board can allow increases to this threshold but have to be under forty within the next year. Have learned more on disaster declarations and how they could word this more clearly. Could word this if they have a declaration in which comp time will exceed 100 hours then they would commit to pay out overtime. Do not want to pay overtime due to budget constraints. That is why they have comp time. If there is a federal declaration all of this overtime is reimbursable only if this is paid out. When they had the federal declaration she ended up with 100 hours of comp time. If the county would have paid this out then FEMA would have reimbursed this. Do not want to commit to pay this out without a reimbursement. Did work in under maintenance and operations line she can pay the overtime out of her budget and this then becomes reimbursable. Chairman Hancock thinks she could work through this and revisit this. Colleen said they can authorize additional time to any department may want to delete Road & Bridge being specified. Rebecca will work on the actual language.

[2:12:00 PM](#) Rebecca said the work week with ICRMP is set from Sunday at midnight to Saturday at midnight. Ours is Saturday morning to the following Friday. Would suggest they keep their regular workweek. Colleen said this is already set in payroll. Rebecca said when we have an on-the-job injury has the instructions that the supervisor should write this. Is also in the employee conduct above. This is the section for on-the-job injuries. Colleen said they may only look at this section. Chairman Hancock asked how much farther they want to go. Rebecca said they will start back on eligibility. Will start combining these things to start sending out for review.

[2:14:28 PM](#) Commissioner Clark visited with Marc on the census will be doing this on May 2, 2019 at 7:00. Will get the stake information to her. Rebecca said Audrey did a lot of work on developing the address lists and appreciates her help. Colleen said they are registered for Spring Institute on May 1. Are all registered for the second week in June for the Commissioner and Clerks conference. Thinks this is June 11 through the 13. Rebecca asked on the census committee is Marc doing a presentation. Commissioner Clark thinks he needs to do the presentation. Will call back and confirm this date and see what the plan is.

[2:16:58 PM](#) **Motion by Commissioner Clark to adjourn at 2:17. Second by Commissioner Young. All in favor – aye. Motion passed.**

\_\_\_\_\_  
*Chairman of the Board*

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

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

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

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

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