

**JEFFERSON COUNTY COMMISSIONER MEETING MINUTES
JUNE 17, 2019**

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

SOCIAL SERVICES – AMY JOHNSON

[9:02:04 AM](#) Deputy Prosecutor Weston Davis is in room

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

[9:02:43 AM](#) Motion by Commissioner Young to go into executive session 31-874 & 74-206 (D) – Records exempt from disclosure. Second by Chairman Hancock. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

[9:34:20 AM](#) Commissioner Young left for Public Health meeting

[9:47:15 AM](#) Open session 9:47

- **INDIGENT HEARING – (ACTION ITEM)**

[9:47:28 AM](#) Motion by Commissioner Clark to issue a continuance on case #2019-09 for more information. Second by Chairman Hancock. Roll call taken. Commissioner Clark – aye, Chairman Hancock – aye. Motion passed.

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

DEPUTY PROSECUTOR – WESTON DAVIS

- **LEGAL COUNSEL: EXECUTIVE SESSION IC 74-206 FOR PERSONNEL, HIRING CONSIDERATION, EMPLOYEE EVALUATION AND COMPLAINTS (1)(A) & (B), PENDING LITIGATION (1)(F), OR DELIBERATIONS ON LABOR NEGOTIATIONS OR PURCHASE OF PROPERTY (1)(C) – (AS NEEDED)**

[9:48:08 AM](#) Motion by Commissioner Clark to go into executive session 74-206 (F) - Legal. Second by Chairman Hancock. Roll call taken. Commissioner Clark – aye, Chairman Hancock – aye. Motion passed.

Open session 10:05

PLANNING & ZONING – KEVIN HATHAWAY – JENNY KERR

- **BARON ESTATES 1ST AMENED PLAT – (ACTION ITEM)**

[10:05:36 AM](#) Chairman Hancock said they have a plat amendment on Baron Estates. Did read the information. Baron Estates and Fairway Estates are next to each other and want to become one. This was recommended for approval from the Planning & Zoning Commission. Kevin said they have talked with the surveyor on this. Involves two different subdivisions. Usually would do three plat amendments. Chairman Hancock said they are not asking for a new subdivision. Kevin said it makes this Baron Estates #2. It is less problematic for the applicant. Chairman Hancock asked on the final plat. All they are doing is amending both. It does not create a new subdivision but a change to Baron Estates. Jenny said they are putting all of it into Baron Estates. Chairman Hancock asked why they still have Fair Wind Estates on this. Jenny said this is the first amended plat. Chairman Hancock is concerned with this. Jenny said the Assessor and surveyor explained that this plat amendment is a new subdivision. They think of these as a new subdivision. Chairman Hancock wanted to make sure they are following the procedures that are outlined. Was recommended for approval by the Planning & Zoning Commission.

[10:13:36 AM](#) Motion by Commissioner Clark to accept and approve Baron Estates first amended plat. Second by Chairman Hancock. Roll call taken. Commissioner Clark – aye, Chairman Hancock – aye. Motion passed.

- **PERMIT FEE REFUND – RILEY ROBINSON – (ACTION ITEM)**

[10:13:59 AM](#) Kevin said that Mr. Robinson applied for a permit for an ag building. Found out that he is in a floodplain and would require an elevation certificate. Found this would be too timely. Is here to request they refund this permit fee.

[10:15:51 AM](#) Motion by Commissioner Clark to have Planning & Zoning refund Riley Robinsons permit. Second by Chairman Hancock. Roll call taken. Commissioner Clark – aye, Chairman Hancock – aye. Motion passed.

- **UPDATE**

[10:16:21 AM](#) Chairman Hancock said he has some concerns on permits and the timeliness. Kevin said part of the issues is they do not control all of this process. Jenny does some work then they have to get an address. Sometimes there is a wait time on this. Looking at doing simultaneous plan reviews to have Jeff and Eric do their parts of the plan review before so when it comes back it will be ready to be issued. Had one application that has come in six times incomplete. Chairman Hancock said originally have been told ten days. Have been complaints about these taking thirty days. Had about ten different complaints to get a simple building permit. Had one builder that was telling individuals not to build in Jefferson County. Thought this was up to ten days unless there is an issue. Had

another individual call to see if it would take eight weeks to get a permit. Chairman Hancock said on a shop building it took thirty-two days. Kevin said he will introduce this process and should have better information for them in a few weeks.

[10:20:55 AM](#) Chairman Hancock asked if they have a status on what permits they have and where in the process the permits are at. Kevin said they are working on this right now. Chairman Hancock said another issue is they do not let them know that they are incomplete. Should be letting them know as soon as possible. Kevin said this does not sound like what they do but will address this. Chairman Hancock said the lady that was really upset called numerous times. Kevin said this should have been faster with this. Commissioner Clark thinks if they track these it would give them more information when they have calls. Then they have an idea on how to address these concerns.

[10:23:35 AM](#) Chairman Hancock thinks they could have an expedited process for those that are not as complex. Knows those that are complex will take longer. Kevin said there has been a few that do fall into those criteria and they are fixing this.

[10:25:06 AM](#) Commissioner Clark asked the process on questions being asked at the front desk. Wonders if these questions come back to him. Kevin said they are asked to fill out a property status report. Cannot give them any legal advice. Can submit a property status report. Chairman Hancock said they were told it would be two weeks on that. Thought there were papers they were going to have available for people to read. Really do need to let people know they need to get their own legal advice. Cannot tell them whether they can use an access and would have to go to an attorney. Commissioner Clark said beside the paperwork do these questions make it to him.

[10:27:18 AM](#) Kevin said if this is something they cannot help they will get a number or bring them back for him to speak with if he is available. Have had some issues lately. Have to figure out issues with ordinances and how to implement corrective actions. Trying to find a method to legally allow them to do certain things. Chairman Hancock thinks if they could get a status report. Then they would have more information if they have calls on an issue.

[10:29:18 AM](#) Chairman Hancock asked if everything has to be reviewed by you. If he has in a subdivision with numerous homes and is a contractor who has done the same plans. Brings this in for a building permit. Are they going to go over everything or can they expedite this since it has been done numerous times. Kevin said they do the process the same every time. Could look into this and there may be a way to do this. Wants to make sure the process is the same every time. Does not have to sign building permits. Flood permits he does have to sign these. Typically they have Jeff sign the building permits. Are they counseling with other counties to see what they do? Kevin said they work with Fremont and Madison often.

[10:34:22 AM](#) Chairman Hancock said they do still need to make sure they are following their ordinances. Kevin said if they see these before then that is great. Always looking at that. Staff is getting much more comfortable with their roles of the process. Suspects this will continue.

[10:35:46 AM](#) Chairman Hancock asked the status on area of impacts. Kevin said that Ririe wanted to have a judicial review. They do not want to have a hardship exemption. Chairman Hancock does not care about the other one where they had an issue. They need to tailor this to be an agreement they can both agree too. This has been vetted with a lot of discussions. Would go back and tell them they need to move forward on this. Kevin gave them the text agreement. This is the basic agreement. Rigby had included sections from their city. Then they would need a map. Does not know where they are at in the process. Met with Lewisville, Menan, and Mud Lake. Several Mayors showed up. It was productive and they presented the basic agreement. Each will develop their own additions and maps. Told them to call them during this process if they need any help. Thought this would take through July because they have a lot of things going on. Looking at the end of July or first of August. This was positive and went well. Discussed their concerns. Chairman Hancock would recommend he establish a date.

[10:40:28 AM](#) Kevin said they had FEMA training last week. Then they went to Rexburg for the National Weather Service and a discussion from FEMA on how to go back to homes that can be rebuilt. Can give them some information if they are interested. Commissioner Clark said that he could pass this on to them. Chairman Hancock asked was going to put together pamphlets on conditional uses and variances. Kevin said these are in the office and have been helpful. Commissioner Clark asked if the building permits how many they have had so far. Kevin said they are active would have to look at the numbers. Chairman Hancock said it sounds like about an average of sixty.

[10:44:57 AM](#) **Deputy Prosecutor Weston Davis left room**

[10:45:30 AM](#) Chairman Hancock asked on review fees. Kevin said they do a plan review fee on all building permits.

[10:47:57 AM](#) **Deputy Prosecutor Weston Davis is in room**

PUBLIC DEFENDER – JOHN STOSICH – CLERK – COLLEEN POOLE

• PUBLIC DEFENDER COMMISSION GRANT – (ACTION ITEM)

[10:48:36 AM](#) Colleen said they just wanted to respond to the letter. Chairman Hancock said he had read it. So has Commissioner Clark. Colleen said the letter was addressed to them so thought they should sign this. Did add John's signature since he drafted the letter.

[10:49:05 AM](#) **Motion by Commissioner Clark to approve the letter to Public Defense Commission in response to the letter about the Public Defense grant. Second by Chairman Hancock. Roll call taken. Commissioner Clark – aye, Chairman Hancock – aye. Motion passed.**

COMMISSIONERS

- **EXECUTIVE ASSISTANT - COMMISSIONERS/CLERK POSITION – (ACTION ITEM)**

[10:50:15 AM](#) Chairman Hancock said he will start they are looking at for the executive assistant wanting to split the services from one of the deputy clerks. Individual would still work for our clerk but would be located in our newly created office. Have some background and definition. Have created a job description they will briefly review. Major concern has been with Clerk Poole is that the individual needs to make sure they are available when her office needs help. Will be some cross training that will need to go into effect. Would be paid from two pots of money. Figured it would be sixty-three out of theirs and thirty-seven out of the clerk. Reviews job description will have duties to perform varied secretarial and administrative functions in a timely manner to assure efficient operations of department and to act as a liaison between the assigned department and other county agencies or departments. This is a summary. Goes over functions and responsibilities. Colleen asked if these responsibilities would change. Chairman Hancock said this is what has been proposed. Colleen has not read through this. Chairman Hancock said there may be some that need refining once they start. Key function will be unless they have an emergency would still support Colleen. Goes over other duties and responsibilities.

[10:54:11 AM](#) **Prosecutor Paul Butikofer is in room**

[10:54:14 AM](#) Colleen said she will read through this and some of these may change. Chairman Hancock said it will change as this job evolves. Feel like it is a good fit and good opportunity to use the skills from the deputy clerk. Commissioner Clark said this will be a work in progress will move forward. Colleen asked on a wage had this been decided. Chairman Hancock thinks they can keep this the same as they currently have for that individual.

[10:56:24 AM](#) Rebecca said this is the information she wanted to present. Comes up on grading this position. Whenever a new job is created or materially changes they have to look at the grading and what is expected. Has a listing of positions within the county and their grade. Can see currently most clerk positions are a grade three. Most office management executive assistant positions are at a grade five or six. Comparing what is required in the jobs with handling information and confidentiality. Do have a higher grade for those positions. Colleen wanted to know where they are at on the step and grade scale. Rebecca has a personnel action form. Has a sticky note on the top with her recommendations. Look at the step with the person and efficiencies. Would recommend a one with this being a brand new world. Colleen would look at a grade five which is closer in pay. Rebecca said this depends on the Chief Deputy position is in question. Someone moving who is being given more responsibility should not take a pay cut.

[10:59:15 AM](#) **Prosecutor Paul Butikofer left room**

[11:00:26 AM](#) Rebecca said while grading the position they need to look at what the position requires. Tried to remove the employee and just look at the requirements. Go over current grade and step. Colleen asked if they would increase this another step at budget time. Rebecca feels this job is more of a grade six than a five after looking at the requirements of this position and throughout the county. Would recommend grade six step one and not do a step in October and wait that year. Chairman Hancock said they would not have a step increase during the first year. Would stay this amount until next October. Rebecca said it would change for the 2021 fiscal year. Chairman Hancock said they could be a grade five. Rebecca said they cannot look at the step when creating a job. If they have to go up steps then they have skewed the system. One of the reasons for a grade six is this position will require cross training with the HR component, deal with both commissioners and clerk responsibilities. There is a flexibility that will be required.

[11:08:02 AM](#) Commissioner Clark thinks as they look over this chart that the grade six would be where they should go with this. Chairman Hancock said they will be expecting a lot out of this individual. Will have special assignments. Will be working with Rebecca. There is a lot happening overall. Rebecca said that she has noticed a definite uptick in assignments from this board. Generate a lot more work. Chairman Hancock said they did an extensive review on the step & grade last year. Commissioner Clark said the step is on experience. Chairman Hancock said they would start at the bottom. Rebecca said the policy allows some flexibility. Would recommend a one since this is a hybrid job. There will be a lot to learn. Not sure they can pay out of two line items. Colleen said both budgets are within the general. Chairman Hancock said they should have the funding already. Rebecca said any action on this will take both signatures.

[11:14:03 AM](#) **Motion by Chairman Hancock to create a hybrid position for an executive assistant for Commissioners and Clerk. Will report to both the Clerk and County Commissioners Office. Will amend the motion that this position will be a grade six with duties to be defined by both the Clerk and County Commissioners. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Chairman Hancock – aye. Motion passed.**

[11:15:36 AM](#) **Motion by Commissioner Clark to approve the personal action form for employee number 637 to fill the position for executive assistant to the Clerk and Commissioners as a grade six step one. Second by Chairman Hancock. Roll call taken. Commissioner Clark – aye, Chairman Hancock – aye. Motion passed.**

PARKS & RECREATION – MICKEY EAMES

• VENDOR CONTRACT – (ACTION ITEM)

[11:18:53 AM](#) Mickey said they had already spoken about this. Has the contract. This is for the concession stand they have coming out. Had showed the proposal the last time but did not have a contract. Chairman Hancock comments on the old trailer out there needs to be fixed up. Mickey said they are fixing this. Taking out windows and getting this cleaned up. Chairman Hancock said they need to set a time. Commissioner Clark said it has been two months. Does not think it should just be left there. If he has not done anything within the next week or so it needs to go. Mickey wants it cleaned up by June 29 or it needs to be moved. This is the Independence Day celebration. Would probably want it gone by June 28 if it is not cleaned up. Chairman Hancock said this is an eyesore. Have had some patrons questioning the grass was not being taken care of. Mickey said people want to complain about a lot of things. Have three guys working all the time. That is all the budget allows. Totally impressed with what they have been doing. Have a lot going on.

[11:22:31 AM](#) Chairman Hancock said back on the contract have a standard contract.

[11:23:02 AM](#) **Motion by Commissioner Clark to approve Lulu's as a vendor at Jefferson Lake. Second by Chairman Hancock. Roll call taken. Commissioner Clark – aye, Chairman Hancock – aye. Motion passed.**

[11:24:15 AM](#) Mickey said the wall will be finished this week. Will get a mural going sometime after the celebration is over at the end of the month.

[11:25:00 AM](#) **Deputy Prosecutor Weston Davis left room**

PUBLIC WORKS – DAVE WALRATH

• UPDATE

[11:25:13 AM](#) Dave said they are starting the otta seal on 200 N and 150 N out in Ririe. Dipping their toe with one tanker to get the bugs worked out. Already had some mechanical issues. Will have more tankers tomorrow so they do not have demurrage. Chairman Hancock said they need to keep them busy. Asked if they are using 5/8 chips. Dave said they are so they will get some complaints. Very effective treatment for the roads. Spent last week pulling some shoulders and doing some patch overlaying. Will do this for the next three weeks. Then hopefully the back parking lot will be ready to be finished off. Then the plan will be clean chip seals. The ones overlaid last year will get a clean chip this year. Then they will move into the overlays. Chairman Hancock asked on the broom. Dave worries it has some issues. Hoping to get a numatic roller from ITD that is older. Will help on the otta seals. Currently just have the one. Chairman Hancock said they can prior purchase this since they are another government agency. Dave said they had asked for some help paving up in St. Anthony. Will do an MOU. Would only be the paving crew for a day.

[11:28:49 AM](#) Dave said at Solid Waste the CAT 4 overheated on Friday. Hauled this back to Idaho Falls. It was something with the gasket and radiator. Will have to make this right then haul this back out. Other than that things are business as usual with solid waste. Going well. Chairman Hancock knows there is still a lot patching that needs done. Dave said George is out have more durapatcher oil coming tomorrow.

• SECURITY GATE AT ROAD & BRIDGE

[11:31:32 AM](#) Dave did get some prices on gates. Chairman Hancock asked if there was anyone local. Dave is not aware of any. The Utah vendor they do the install. Is \$12,000 and the others were \$26,000 or \$30,000. Chairman Hancock said they actually manufacture these. Dave said in there they do have some drawings on the gate. Would have to pour the concrete base. Will put these right where they are currently and have two gates that open. Thinks this is the way to go. Dave said this design lifts the gate up which is better due to the snow that they have. Would have to have power brought out to that location. Chairman Hancock said they would have to cut the asphalt. The others are quite a bit more. Do they have the money to do it this year? Dave said he has \$10,000 left in capital building. They could wait until September and then pay part out of each.

[11:37:15 AM](#) Rebecca said gates and security are grant eligible. Have budgeted \$25,000 and has used only \$1,000. Chairman Hancock said they could take this out of this fund and get it done. Would be nice to get this done sooner. Commissioner Clark thinks they will not have time to install this for a while. Chairman Hancock said they still have to manufacture this. Could have someone else do the cutting. Dave said they can rent one from Scotty's. Will wait and put this on next week as an action.

[11:38:45 AM](#) **Deputy Prosecutor Weston Davis left room**

• ROAD & BRIDGE PICKUP – (ACTION ITEM)

[11:39:32 AM](#) Dave did show the state bid for Dodge pickups last week. Did go online with Sourcwell. They were not competitive with this. Could not find a Chevrolet diesel option. Was one diesel that was a Ford it was twice as much. Is getting a price from Tadd Jenkins in their Blackfoot dealership. Have not gotten this yet. Chairman Hancock said the manager said they would work with them. Dave asked to purchase the lower of the two. Wanted to stick with Dodge since this is what they have currently. For the heavier trucks. Chairman Hancock said the diesel is \$37,965 is a good price. Dave said these are just work trucks. Looking at a one-ton single wheel

option. Will make it so they do not have to put airbags in for the sanding unit. Chairman Hancock said as long as it is that price or better. Dave said he could ask for approval up to that amount.

[11:42:56 AM](#) **Motion by Commissioner Clark to approve Road & Bridge to purchase a Ram 3500 at state bid price of \$37,965 or a lower bid than this from any vendor. Second by Chairman Hancock. Roll call taken. Commissioner Clark – aye, Chairman Hancock – aye. Motion passed.**

- **ROAD & BRIDGE POLICY UPDATE – (ACTION ITEM)**

[11:44:35 AM](#) **Commissioner Young comes back into the meeting**

[11:44:49 AM](#) Rebecca goes over the revised schedule. Sent a draft last week. Tightened up some language. Page seven section six working hours. Revised shall read the scheduled working days for Road & Bridge employees including administrative, mechanical and clerical staff will be Monday through Thursday from 7:00 to 5:30. Variations in work schedule may be appointed at the discretion of the administrator or the county commissioners as conveyed to administrator consistent with applicable law and county policy. Have struck out the sentences that make the hours any different than this. Chairman Hancock asked if Dave has any problems with the modification. Dave does not see anything. Rebecca said this is in line with county personnel policy and the Fair Labor Standards Act.

[11:45:57 AM](#) Dave said winter all bets are off. Rebecca said this does not have a signature page in the past has been approved by motion.

[11:46:20 AM](#) **Motion by Commissioner Clark to approve the Road & Bridge policy. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

ROCKY MOUNTAIN POWER – TIM SOLOMON

- **UPDATE**

[11:47:10 AM](#) Chairman Hancock said they need to bring up one issue. They fixed one side on the substation on 4000 and County Line. Waster is still ponding. It is not sloped. Dave thinks the ditch needs to be deeper. Chairman Hancock said the draining on the other side works great. Has a farm that way and it is ponding. Tim asked which side. Dave said it is 4000. Tim said this is still ponding. Put a pipe in. Chairman Hancock said it is too high so it floods the road before going into the pipe. Tim did not realize this was not done right. Chairman Hancock said they can see this any time it rains. The County Line side is good. Tim said he was told the pipe was installed.

[11:49:36 AM](#) Dave thinks if they deepen this. Chairman Hancock said then it would drain. Tim asked if it is on the south side. Chairman Hancock said this is on the westside of the substation. Dave said all of this needs to be deeper. Obviously not where they access the substation but on either side of the pipe. Tim asked if Dave could meet with him out there. That project manager has retired so will have to pull another guy in. Asked if Dave could go look at it this afternoon.

[11:52:34 AM](#) Tim provides information. **(Exhibit A)** Goes over the community support. Wants them to understand where they sit within the county. Far right side financial contributions for 2018. Have the Early Iron Festival, Menan Fireworks and Mud Lake Lions. Have donated tables out at the lake. Has these done locally and their logo is on these. They are big nice tables. Ordered two this year with the \$1,000 contribution. Contribute also to the Mud Lake Rodeo and Rigby bull riding. Helped with trimming and planting trees for the City of Rigby. Can see the customers they have served is 11,800 with 404,766,259 kWh delivered. Pay \$436,155 in property taxes.

[11:56:08 AM](#) Tim said they can collect within the cities a franchise fee. These days this can only be a maximum of three percent. Look at the far right in 2018 they paid out incentives to customers to use less of their products. On kWh are saving \$1.5 million.

[11:58:05 AM](#) Tim said the state report he shows this occasionally. Look at the customer mix on the bar graph. Percentage by number eighty-one percent are residential, eighteen percent commercial and one percent is industrial. Commercial irrigation uses twenty percent, residential uses thirty percent and industrial uses fifty percent. Have 16,500 miles of transmission lines. Can see the graph on energy sources by generation. Have had conversations on renewables.

[12:01:25 PM](#) Tim said the fold out is just for them to look at. Has some interesting information.

[12:04:31 PM](#) Recess

Open session 12:13

COMMISSIONERS

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

[12:13:28 PM](#) **Motion by Commissioner Young to go into executive session 74-206 (B) - Personnel. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[1:55:26 PM](#) **Motion by Commissioner Young to adjourn at 1:55. Second by Commissioner Clark. All in favor – aye. Motion passed.**

Chairman of the Board

Date

Clerk of the Board

Date

County Clerk

Date