

## **JEROME COUNTY COMMISSIONERS**

Monday, March 23, 2020

PRESENT: Charles Howell, Chairman  
Ben Crouch, Vice Chairman  
John Crozier, Commissioner  
Jane White, Deputy Clerk

Meeting convened at 9:10 A.M.

### **COMMISSIONER REPORTS**

Commissioner Howell reported he had spoken with other local county commissioners and the public about the activities associated with the coronavirus outbreak and the resulting disaster declaration adopted by the County the previous week.

Commissioner Howell stated he had offered the Board's assistance to both the Jerome and the Eden senior citizen centers if they needed more funding to provide meals on wheels during the coronavirus pandemic.

Commissioner Howell said the County sheriff had sent home an employee who had sickness symptoms even though the employee did not have time off benefits.

### **APPOINTMENT TO THE MIDDLE SNAKE WATER RESOURCE COMMISSION**

The Board was in receipt of a ballot for appointments to the Middle Snake Water Resource Commission.

❖ A Motion was made by Commissioner Crouch to approve Lew Pence, Dan Suhr, Kerry McMurray, Dean Edgar, and Gale Kleinkopf to the Middle Snake Regional Water Resource Commission. It was seconded and carried with unanimous ayes.

### **DISCUSS BUREAU OF LAND MANAGEMENT REQUEST FOR I-FARM MEETING**

The Board was in receipt of a letter from Meghan Sorensen-Pereira, realty specialist for the Bureau of Land Management (BLM), requesting that BLM representatives meet with the Commissioners to discuss current uses and the future vision for the I-Farm operated by the Jerome County Historical Society.

E-mails between the Board and Sorensen-Pereira determined to postpone a meeting due to social distancing recommendations regarding the coronavirus.

### **SIGN CLAIMS**

The Commissioners discussed a claim from Lombard Conrad Architects that included a charge for a rental car.

❖ A Motion was made by Commissioner Howell to approve claims as presented. It was seconded and carried with unanimous ayes.

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**BUDGET TOTALS**

03/11/2020 to 3/23/2020

| #  | DEPARTMENT                      | PAYROLL              | ACCT PAY             | GRAND TOTAL          |
|----|---------------------------------|----------------------|----------------------|----------------------|
| 1  | CLERK                           | \$ 24,980.00         | \$ 183.07            | \$ 25,163.07         |
| 2  | ASSESSOR                        | \$ 6,435.49          | \$ 25.00             | \$ 6,460.49          |
| 3  | TREASURER                       | \$ 5,205.34          |                      | \$ 5,205.34          |
| 5  | COMMISSIONERS                   | \$ 4,327.14          | \$ 120.90            | \$ 4,448.04          |
| 6  | CORONER                         | \$ 407.10            | \$ 882.00            | \$ 1,289.10          |
| 10 | BUILDING & GROUNDS MAINT        | \$ 4,745.44          | \$ 1,288.39          | \$ 6,033.83          |
| 11 | EMERGENCY MANAGEMENT            | \$ 2,951.21          |                      | \$ 2,951.21          |
| 13 | EXTENSION AGENT                 | \$ 2,941.60          | \$ 61.14             | \$ 3,002.74          |
| 14 | DATA PROCESSING                 | \$ 1,264.50          | \$ 27,455.06         | \$ 28,719.56         |
| 15 | ELECTIONS                       | \$ 440.75            | \$ 8,508.04          | \$ 8,948.79          |
| 18 | GENERAL                         | \$ 12,377.68         | \$ 18,866.22         | \$ 31,243.90         |
| 21 | PLANNING & ZONING               | \$ 9,039.85          | \$ 96.32             | \$ 9,136.17          |
| 22 | GIS                             | \$ 1,444.50          | \$ 22.12             | \$ 1,466.62          |
| 29 | GENERAL FUND RESERVE            |                      |                      | \$ -                 |
| 30 | VETERANS                        | \$ 501.17            |                      | \$ 501.17            |
|    | <b>Sub Total (General Fund)</b> | <b>\$ 77,061.77</b>  | <b>\$ 57,508.26</b>  | <b>\$ 134,570.03</b> |
| 4  | SHERIFF                         | \$ 53,399.47         | \$ 18,066.02         | \$ 71,465.49         |
| 5  | SHERIFF-DETENTION               | \$ 47,290.76         | \$ 16,539.27         | \$ 63,830.03         |
| 6  | ADULT PROBATION                 | \$ 6,947.28          |                      | \$ 6,947.28          |
| 7  | PROSECUTOR                      | \$ 18,505.82         | \$ 340.50            | \$ 18,846.32         |
| 8  | PUBLIC DEFENDERS                |                      | \$ 4,207.25          | \$ 4,207.25          |
| 9  | JUVENILE PROBATION              | \$ 8,032.92          | \$ 15,921.58         | \$ 23,954.50         |
| 18 | GENERAL JUSTICE                 | \$ 26,166.49         | \$ 42,541.12         | \$ 68,707.61         |
|    | <b>Sub Total (Justice Fund)</b> | <b>\$ 160,342.74</b> | <b>\$ 97,615.74</b>  | <b>\$ 257,958.48</b> |
| 3  | AIRPORT                         | \$ 3,207.38          |                      | \$ 3,207.38          |
| 6  | DISTRICT COURT                  | \$ 5,073.94          | 2236.01              | \$ 7,309.95          |
| 7  | FAIR                            | \$ 4,041.82          |                      | \$ 4,041.82          |
| 9  | CAPITAL FAIR                    |                      | \$ 3,500.00          | \$ 3,500.00          |
| 11 | HEALTH DISTRICT                 |                      |                      | \$ -                 |
| 15 | ELECTION CONSOLIDATION          | \$ 2,072.91          |                      | \$ 2,072.91          |
| 16 | INDIGENT                        | \$ 1,813.50          |                      | \$ 1,813.50          |
| 20 | REVALUATION                     | \$ 12,848.98         | \$ 403.31            | \$ 13,252.29         |
| 23 | SOLID WASTE                     |                      |                      | \$ -                 |
| 24 | TORT                            |                      | \$ 107,088.09        | \$ 107,088.09        |
| 27 | WEED                            |                      |                      | \$ -                 |
| 29 | AMBULANCE                       |                      |                      | \$ -                 |
| 38 | WATERWAYS BOARD                 |                      |                      | \$ -                 |
| 38 | WATERWAYS SHERIFF               |                      |                      | \$ -                 |
| 41 | BOND REDEMPTION                 |                      |                      | \$ -                 |
|    | <b>GRAND TOTAL</b>              | <b>\$ 266,463.04</b> | <b>\$ 268,351.41</b> | <b>\$ 534,814.45</b> |

The Board signed a Claims Approval Report dated March 20, 2020, for the Justice Fund, with a grand total of \$41,306.97.

The Board signed a Claims Approval Report dated March 20, 2020, for the Court Bond Trust and Restitution-Courts Funds, with a grand total of \$5,323.32.

The Board signed a Claims Approval Report dated March 20, 2020, with a grand total of \$228,840.89 for the following funds: General, District Court II, Justice, Fair Capital, Revaluation, Tort, and Planning & Zoning/Building.

#### **BUSINESS AND/OR ADMINISTRATIVE MATTERS**

The Board signed a leave request for Deserae Jones.

The Board signed an Employee Wage Change form to hire Deputy Sheriff Jake Briggs.

#### **CARLA WILLIAMS—COUNTY ROAD PERMITS AND SPEED LIMITS**

Attorney Mike Seib was present. Also present were Carla Williams and her husband, by speakerphone.

Carla Williams returned to the Commissioners from her previous meeting with them on November 12, 2019, requesting a reduced speed limit for the road in front of her home. She stated that there was now more traffic passing her house than there had been in the last 20 years. She also said a neighboring dairy was stockpiling its compost in several areas and that their trucks had straight pipes that she could hear from 7:00 in the morning all day. She continued to say that the dairy had built four new roads that caused more traffic from the farm.

Commissioner Howell said the highway district grants all accesses to County roads.

Mike Seib advised that the permit for the Livestock Confinement Operation [LCO] would indicate the allowed roads.

Mr. Williams said the dairy was switching fields, which put an overload on the roads, and he added that he had not been notified of the change.

Carla Williams asked if the County would verify whether the new roads were permitted. She also asked for a lowered speed limit and the prohibition of trucks with straight pipes.

Mr. Williams said they needed to know what to do to live in their house in peace. He added that the dairy was using more equipment and that it did want to run its trucks at lower speeds, which was a safety issue on their narrow road.

Commissioner Crozier said a traffic study would be necessary in order to change speed limits, which would be decided by the highway district.

Commissioner Crouch asked when the Williamses had met with the highway district board, and Carla Williams said they had not but that the supervisor had said lowering the speed limit would be a good idea.

Commissioner Howell told the Williamses that the County could investigate whether the dairy's new roads fall under its LCO permit and could also ask the highway district to do a traffic study, possibly at different times of the year. Mike Seib commented that manure storage requirements would also be included in the LCO permit.

#### **MIKE SEIB—LEGAL COUNSEL**

Attorney Mike Seib, Clerk/Auditor/Recorder Michelle Emerson, Chief Deputy Clerk Tracee McKim, and Judges Lothspeich and Depew were present.

**Coronavirus Discussion and Decisions:** Judge Lothspeich expressed concern about requiring employees to use their benefits if absent because of the coronavirus outbreak. He asked the Commissioners to consider allowing administrative leave with pay for employees who must stay home because of the virus. He added that the County employs excellent clerks, with good retention records, partly because they have great benefits not available in the private sector.

The Judge informed the Board that the federal government allows paid administrative leave and that the Twin Falls County commissioners had allowed up to eight weeks of the leave if necessary.

Commissioner Howell assured the Judge that the County would pay employees if a skeleton crew were mandated.

Judge DePew stated that court clerks might take unnecessary risks by coming to work in order to be paid so they could pay their bills. She told the Board the Idaho Supreme Court had ordered the courts to stop processing most of their cases, but she said the courts would have to shut down if the clerks were infected with the virus.

Commissioner Howell said the Commissioners would consider a leave of absence on a case-by-case basis if an employee did not have leave time available.

The Judges were excused.

Mike Seib said the Board needed to reassure employees that their benefit times would be refunded under the Board's current policy if they were related to the coronavirus.

Judge Emery was present.

Tracee McKim said the Twin Falls County policy of allowing administrative leave for coronavirus concerns encouraged employees to be more cautious about coming to work and that restoring an employee's benefits because of the epidemic would cause the payroll clerk extra work.

Michelle Emerson said that because of her staff's anxiety she would like to reassure the employees they would have administrative leave benefits and urged the Board to reconsider its leave policy regarding the epidemic.

Judge Emory also supported allowing employees to stay home with administrative leave pay and said it would help protect employees from becoming sick.

Seib advised the Board's policy needed to be reworded, and his recommended wording was continued until later.

Judge Emory, Emerson, and McKim were excused.

**Greenwell Planning and Zoning Question:** Planning and Zoning Administrator Nancy Marshall was present.

The Board followed up from a March 16 question from Morris Greenwell about his ability to build another house on his property.

Nancy Marshall provided the staff report for the approval of Morris Greenwell's land division application in 2005. Mike Seib referred to #8, stating: "99.55-acre parcel shall not be able to obtain a building permit for a home site unless the property owner gets approval from the Commission or the Jerome County Zoning Ordinance is changed to support a new home site through the Special Use."

Marshall explained that Special Use Permits were allowed at the time of Greenwell's land division application but that the County had since changed its Zoning Ordinance. She said there was a possibility that Greenwell could obtain two acres from another farmer.

➤ It was determined Marshall and legal counsel would draft a letter to Greenwell about his options for building another house.

**Carla Williams, continued from earlier in the morning:** The Board asked Marshall to determine if the Livestock Confinement Operation permit for Si Ellen Dairy allowed four new roads. Marshall said it would be necessary for the highway department to have granted an access permit.

➤ It was determined Marshall would draft a letter to Williams from the Commissioners.

**Coronavirus Discussion and Decisions, Continued from earlier:** The Board held an extensive discussion with Seib about the morning's earlier requests to establish administrative leave for employees absent because of the coronavirus.

Seib advised that it would be easier to allow administrative leave with pay when an employee was excused because of the virus, and he said he would draft a policy for the Board's signatures.

➤ Signing a policy was continued until Seib could return with it later in the day or on March 24.

**READ AND APPROVE MINUTES**

❖ A Motion was made by Commissioner Crozier to approve the minutes of March 18 as read. It was seconded and carried with unanimous ayes.

**INDIGENT MATTERS**

❖ A Motion was made by Commissioner Crozier to approve indigent matters as recommended by staff. It was seconded and carried with unanimous ayes. Denied were Case Nos. 1920-028; 1920-027; and 1920-020; dismissed were Case Nos. 1819-113 and 1920-017.

The meeting recessed 12:46 P.M., with a possible continuation later or on March 24 regarding the County's coronavirus policy.

Meeting reconvened at 4 P.M.

**CORONAVIRUS DISCUSSION AND DECISIONS, Continued**

Attorney Mike Seib was present.

Seib offered a revised Emergency COVID-19 Policy, including #6 and #7 allowing employees up to 80 hours of paid administrative leave for alternative work schedules or full or partial department shutdowns.

❖ A Motion was made by Commissioner Howell to adopt the Emergency COVID-19 Policy. It was seconded and carried with unanimous ayes.

Meeting adjourned at 5:08 P.M.

Respectively submitted:

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Jane White, Deputy Clerk

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Charles M. Howell, Chairman

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A. Ben Crouch, Vice Chairman

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John Crozier, Commissioner