

# JEROME COUNTY BOARD OF COMMISSIONERS

Monday, May 8, 2023

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

Meeting convened at 9 A.M.

Commissioner Crozier was excused.

## **COMMISSIONER REPORTS**

**Commissioner Howell** reported he had followed up with the dairy association pertaining to a planned I-Cafe/Discovery Center at the Crossroads Point Business Center in Jerome County. He said that following a study, it was determined that the University of Idaho would concentrate efforts to establish classroom research at the College of Southern Idaho in Twin Falls rather than at the Crossroads location.

**Commissioner Crouch** had met with the Airport Advisory Board where members had considered how Chapter 12 of the Jerome County Zoning Ordinance relates to the Jerome Airport. He said Manager Marty Luhr had given a good update on Airport projects and that IT Specialist Desea Lance was developing the County airport website.

**Commissioners Crouch and Crozier** had participated in an employee Safety Committee meeting, with Commissioner Crozier elected as the chairman and Cy Lootens as the vice chairman. Major topics were parking and events to show employee appreciation and promote unity and team building. One idea was to have a summer barbecue or food trucks available one day for employees. A possible fundraising event at the jail was also discussed. Juvenile Probation Administrator Mario Umana had expressed concern about no egress window in the basement of the Courthouse, where there are offices for him and his staff.

Commissioner Crouch read a report from **Commissioner Crozier** in his absence. Commissioner Crozier had met with the Tri-County Noxious Weed Cooperative where the bid for biological control of Idaho State designated noxious weeds was awarded to Southern Idaho Bio-Control for \$18,000.

Commissioner Crozier had given a radio interview; topics included the County's involvement with the Idaho Association of Counties (IAC), the value of training and advocacy, tire amnesty day, the progress of installing new grandstands, establishment of an east end medical facility, the Lincoln Day Breakfast, and a canyon rim clean-up.

**All** three Commissioners had attended a County Officials Institute conducted by the Idaho Association of Counties; legislation was reviewed and discussed, and training was offered in county finance and the budget process.

Monday, May 8, 2023

Page 1 of 10

### **APPOINTMENT TO THE BOARD OF HEALTH**

The Board was in receipt of a ballot from the South Central Public Health District nominating Lincoln County Commissioner Joann Rutler to be appointed to the Board of Health.

❖ A Motion was made by Commissioner Crouch to reappoint Commissioner Joann Rutler to the Board of Health for a term of five years, expiring June 30, 2028. It was seconded and carried with unanimous ayes.

### **SIGN MOU WITH THE INTERIOR DEPARTMENT AND BLM**

The Board was in receipt of a Memorandum of Understanding to be a cooperative agency in developing solar energy.

❖ A Motion was made by Commissioner Crouch to sign the Memorandum of Understanding among the Bureau of Land Management, the Department of the Interior, and Jerome County, with Commissioner Crozier representing the County for the resource management plan for development of the programmatic environmental impact statement and associated resource management plan amendments for utility-scale solar energy development on public lands. It was seconded and carried with unanimous ayes.

### **WEED BOARD NOMINEES**

The Commissioners were still open to receiving letters of interest from persons desiring appointment to the Northside Tri-County Cooperative Weed Management Area board of directors. Commissioner Crozier had reported of two potential nominees on April 24.

➤ Consideration of Weed Board appointments was added to the May 15 agenda.

### **SIGN WEED AGREEMENT**

Tri-County Weed Superintendent Jason Parker had sent the Board a Joint Powers Agreement among Jerome, Lincoln, and Gooding Counties for joint weed control. The updated agreement stated that it would be in effect until any county withdraws from it.

❖ A Motion was made by Commissioner Crouch to sign the updated Joint Powers Agreement with the North Side Tri-County Weed Cooperative. It was seconded and carried with unanimous ayes.

### **EMPLOYEE FAIR CONCERT AND RODEO TICKETS/SWINE PENS**

Fair Manager Andrea Wiesenmeyer was present.

**Swine Pens:** Andrea Wiesenmeyer presented quotes for swine pens, which she said was a necessary upgrade for the Fairgrounds. She recommended the D&B Supply quote because the Triton Barn Systems quote could not deliver for 45 months. Wiesenmeyer said the cost could be reduced by grant funding and the Fair Board paying part of the price.

❖ A Motion was made by Commissioner Howell to approve \$15,000 out of grandstands ARPA money to go towards swine pens at the Fairgrounds, with alternative funding to be researched for a later decision. It was seconded and carried with unanimous ayes.

**Rodeo Tickets:** Wiesenmeyer suggested the County and the Fair provide two complimentary tickets per employee for one night of rodeo during the County Fair in August. The Board agreed that the tickets would show appreciation and could boost rodeo attendance.

❖ A Motion was made by Commissioner Crouch to pay half the price of two rodeo tickets for employees who want to go the rodeo, with a maximum expenditure of \$2,490. It was seconded and carried with unanimous ayes.

**SIGN SUPPORT LETTER FOR HOMESTEAD ACRES SUBDIVISION**

The Commissioners followed up from May 1 when Becky Dean requested that the Commissioners send a letter to the City of Jerome asking it to enforce noise pollution within the City caused by the Scoular Company.

❖ A Motion was made by Commissioner Crouch to sign a letter of support for the Homestead Acres Subdivision concerning noise emission, with a copy of the letter to the Scoular Company. It was seconded and carried with unanimous ayes.

**APPRAISAL FOR JANET PRESCOTT PROPERTY**

The Board followed up from March 20 when Janet Prescott had questioned whether the County would be interested in purchasing 203.9 acres of land.

The Commissioners deliberated on the use the County would have for the property.

➤ Commissioners Howell and Crouch said they would find an appraiser to determine the appraised value of the land, which would be the maximum amount the County would be able to pay.

**SIGN AND APPROVE CLAIMS**

The Board signed a Claims Approval Report dated May 5, 2023, for the Restitution-Courts Fund, with a grand total of \$6,435.84.

The Board signed a Claims Approval Report dated May 8, 2023, for the District Court II Fund, with a grand total of \$1,055.28.

The Board signed a Claims Approval Report dated May 5, 2023, with a grand total of \$125,999.36.

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

The Commissioners signed claims for the May 2, 2023, to May 9, 2023, claim cycle as follows.

05/02/2023 to 05/09/2023

**BUDGET TOTALS**

DEPARTMENT	PAYROLL	ACCT PAY	GRAND TOTAL
1 CLERK			\$ -
2 ASSESSOR			\$ -
3 TREASURER			\$ -
5 COMMISSIONERS		\$ 27.50	\$ 27.50
6 CORONER		\$ 2,000.00	\$ 2,000.00
10 BUILDING & GROUNDS MAINT.		\$ 2,052.48	\$ 2,052.48
11 EMERGENCY MANAGEMENT			\$ -
13 EXTENSION AGENT		\$ 318.66	\$ 318.66
14 DATA PROCESSING		\$ 7,329.78	\$ 7,329.78
15 ELECTIONS			\$ -
16 CHARITY			\$ -
18 GENERAL		\$ 31,233.17	\$ 31,233.17
21 PLANNING & ZONING		\$ 188.49	\$ 188.49
22 GIS		\$ 471.89	\$ 471.89
29 GENERAL FUND RESERVE			\$ -
30 VETERANS			\$ -
Sub Total (General Fund)	\$ -	\$ 43,621.97	\$ 43,621.97
4 SHERIFF		\$ 3,355.89	\$ 3,355.89
5 SHERIFF-DETENTION	\$ 1,624.00	\$ 22,478.66	\$ 24,102.66
6 ADULT PROBATION		\$ 253.78	\$ 253.78
7 PROSECUTOR		\$ 318.67	\$ 318.67
8 PUBLIC DEFENDERS		\$ 9,391.75	\$ 9,391.75
9 JUVENILE PROBATION		\$ 1,592.50	\$ 1,592.50
16 GENERAL JUSTICE	\$ 300.08	\$ 26,726.83	\$ 27,026.91
Sub Total (Justice Fund)	\$ 1,924.08	\$ 64,118.28	\$ 66,042.36
3 AIRPORT		\$ 1,402.11	\$ 1,402.11
6 DISTRICT COURT		\$ 17,328.22	\$ 17,328.22
7 FAIR			\$ -
9 CAPITAL FAIR			\$ -
11 HEALTH DISTRICT			\$ -
15 ELECTION CONSOLIDATION			\$ -
16 INDIGENT			\$ -
20 REVALUATION		\$ 105.90	\$ 105.90
23 SOLID WASTE			\$ -
24 TORT			\$ -
27 WEED			\$ -
29 AMBULANCE			\$ -
38 WATERWAYS BOARD			\$ -
38 WATERWAYS SHERIFF			\$ -
41 BOND REDEMPTION			\$ -
48 AMERICAN RESCUE PLAN		\$ 5,513.75	\$ 5,513.75
Sub Total	\$ -	\$ 24,349.98	\$ 24,349.98
<b>GRAND TOTAL</b>	<b>\$ 1,924.08</b>	<b>\$ 132,090.23</b>	<b>\$ 134,014.31</b>

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

The Board signed a Claims Approval Report dated May 5, 2023, for the Insurance Deductible Trust Fund, with a grand total of \$349.30.

Commissioners signed two Catering Permits for the South Hills Bar & Grill, Hansen, to be used May 13, 2023, from 4 P.M. -12:30 A.M. ; and May 20, 2023, to be used from 2 P.M. -12 A.M. , both at the Risk Barn.

Commissioners signed a Catering Permit for the 19<sup>th</sup> Hole Bar & Grill, Jerome, to be used May 18, 2023, from 9 A.M. -4 P.M. at the Jerome County Fairgrounds.

The Commissioners approved Time Records for the April 23, 2023, through May 6, 2023, payroll period for Deserae Calbo, Brent Culbertson, Scott Denning, Mark Reyes, Tanya Stitt, and Mario Umana.

### **BRENT CULBERTSON—MAINTENANCE REPORT**

Maintenance Supervisor Brent Culbertson was present.

**Judicial Complex Sign:** Brent Culbertson gave the Board paperwork reflecting the name change of the judicial annex building. The Board approved a picture showing the change to the Thomas H. Borreson Judicial Complex. A quote from Lytle signs was to remove the existing sign and replace it with a sign reflecting the new name. Culbertson also provided a quote from Stucco Dynamics to reface the building before the new sign is installed.

❖ A Motion was made by Commissioner Crouch to approve spending for refacing the judicial annex building by Stucco Dynamics for \$15,650 as well as to approve Lytle Signs Company for \$8,911.47 to put up the Judge Thomas H. Borreson Judicial Complex sign. It was seconded and carried with unanimous ayes.

**Report:** Culbertson said the installation of a new heating and cooling (HVAC) unit for the auditor's office was completed.

➤ Commissioner Howell asked Culbertson to research the possibility and cost of a separate HVAC unit for the mapping office. Commissioner Crouch asked that Culbertson plan for new basement windows, including a basement egress window, in the Courthouse.

➤ Commissioner Crouch also asked about the timeline for installing “employee parking only” signs on the north side of the Courthouse. The Commissioner also said he would ask the church next to the Courthouse about its vacant lot that could be used for parking.

Culbertson said he was waiting for bids to modify the ambulance bay door.

### **MARTY LUHR—AIRPORTS REPORT**

Airports Manager Marty Luhr was present.

Marty Luhr said he had purchased a new banner advertising Airport Appreciation Day on July 8 and that the banner location had been paid. Luhr told the Board that the gas pump credit card screen was bleached and asked if the Board wanted to replace it. He said he had ordered a cover and a new keypad.

❖ A Motion was made by Commissioner Crouch to approve up to \$700 for the Airport Appreciation Day sign to be used annually and also to approve the expenditure of \$1700 for the gas pump credit card screen. It was seconded and carried with unanimous ayes.

Luhr told the Board that the FBO (fixed business operation) on the Jerome Airport would like to use approximately one quarter of the back yard in order to turn around planes. He said extending the apron would require a change in the sprinkler system.

➤ The Commissioners said they would visit the Airport to assess the request.

Luhr reported repairs to the Lincoln courtesy car would be completed that day and that the plow had been removed from the truck. He said he would begin mowing, possibly that day. Luhr stated he was able to be certified through DELPHI for the Federal Aviation Administration, but his internet was down again. Luhr also presented an Inventory Report for Avgas and Jet A fuel at the Jerome Airport.

The Board was in receipt of a letter from Jon Higley indicating that he would like to be reappointed to the Airport Board.

❖ A Motion was made by Commissioner Crouch to reappoint Jon Higley to the Airport Advisory Board for a three-year term. It was seconded, followed by discussion that Higley is active on the Airport Board and brings a perspective as a flyer, and the Motion carried with unanimous ayes.

### **NANCY MARSHALL—PLANNING AND ZONING REPORT**

Planning and Zoning Administrator Nancy Marshall was present.

Nancy Marshall read statistics from her April Department Head Report, including finances, building department inspections/projects, and code enforcement. She elaborated on two ongoing efforts to enforce the Jerome County Zoning Ordinance. One had been referred to the South Central Public Health District and also has an active violation for the installation of three mobile homes without building permits. The Health District reported in April that the owner of the property with violations was in Mexico and may begin working on solutions when he returns.

A second case, sent to the prosecutor's office, concerns a violation of building without a permit and collecting non-operable vehicles.

Another violation occurred when goats escaping from their own property ate \$18,000 worth of plants at Moss Greenhouse.

Marshall gave more details from her report, including mechanical permits and other department activities.

Marshall said the plotter ordered should be delivered within two weeks, which should help with issuing building permits and providing property information.

Marshall said her department would meet with those people both on the east and the west sides of the County who have objections to the draft of a new Recreation Zone. She suggested sending a letter of appreciation to Art Brown for volunteering to facilitate the Recreation Zone Committee.

Meeting recessed at 11:43 A.M.

Meeting reconvened at 2 P.M.

### **TRACEE McKIM—PUBLIC DEFENSE ASSISTANCE APPLICATION**

Chief Deputy Clerk Tracee McKim was present.

Tracee McKim informed the Board of the Public Defense Assistance Application the clerk's office would be submitting to the Public Defense Commission (PDC). She said the amount requested was determined by subtracting the amount expected from the PDC from the amount the County pays for indigent defense. She added that she expected the PDC to grant the same amount as granted in the current year rather than the full amount the County pays for public defense.

❖ A Motion was made by Commissioner Crouch to sign the Indigent Defense Financial Assistance Application. It was seconded and carried with unanimous ayes.

Commissioner Crouch called for an executive session.

### **EXECUTIVE SESSION**

❖ 2:05 P.M. - A Motion was made by Commissioner Crouch to enter executive session per Idaho Code 74-206(1)(b), personnel. It was seconded and carried with a unanimous roll call vote.

2:24 P.M. - Return to open session.

### **ROD THOMAS—HAZELTON AIRPORT AG PIT LEASE**

Rod Thomas was present representing Thomas Helicopters.

Rod Thomas said he would like to lease an ag pit at the Hazelton Airport for agricultural spraying purposes. He said Airport Consultant Kent Atkin had marked off a spot where he would like to locate his operation.

Thomas had questions about a proposed lease agreement. He questioned if he would have to pay a flow fee because he said he would need to invest approximately \$10,000 to make the Airport usable for his purposes, and he said he only pays a flow fee in other airports that have fuel available.

Thomas said he has radios in his planes but that the County cannot demand an aircraft to have a radio, as stated in No. 17 of the proposed lease.

Commissioner Crouch asked what Thomas would propose. He said he would like fair and equitable fuel charges and maybe consideration for no water or power available and the fact that he would need to haul in gravel and pour concrete.

Questions followed from the Commissioners, with considerations with their attorney to be addressed at a future date.

Commissioner Howell was excused.

### **LINDA HELMS—HISTORICAL SOCIETY UPDATE AND BUDGET REQUEST**

Chief Deputy Clerk Tracee McKim was present. Also present were Linda Helms, representing the Jerome Historical Society, and Tanner Johns.

Linda Helms expressed that the Historical Society was very appreciative of funds contributed by the County and that she was requesting \$10,000 again for FY 2023-24, to be split between the Museum and the I-Farm.

Helms presented a letter telling of the Society's donations and upgrades throughout the previous year. She told of extra bills experienced in the current year, including fencing, weed and vole control, a new toilet at the Museum, advertising costs, and increased power charges because of the long winter.

Helms invited the Commissioners to Live History Day on June 17, which she said raises a good portion of the Society's income; she said this year will include a memorial for JR Rowe, who had volunteered labor at the I-Farm and had passed away in December.

### **ELLEN RIPPLE AND JIM WOLTERS—HAZELTON AIRPORT PROPERTY**

Present were Ellen Ripple and Jim Wolters. Also present were Tanner Johns, Kristi DeWitt, Becky Jacky, and Patsy Bland.

Jim Wolters presented a written proposal to lease approximately ten acres of Hazelton Airport property that is not used for flying, following up from discussions with the Commissioners on February 27, 2023, and April 24, 2023, when the Board had asked for a business plan.

Wolters said he was willing to clean up the property, remove an underground sprinkler system, and excavate and replace sterilized soil in exchange for a lease agreement of not less than 50 years to recover his clean-up expense and improvements to provide for crop production.

➤ Commissioner Crouch said the Board would consult with its attorney regarding the proposal.

### **MIKE SEIB—LEGAL COUNSEL**



Attorney Mike Seib was present. Also present were Tanner Johns, Kristi DeWitt, Becky Jacky, and Patsy Bland.

**Moonlight Mountain Appeal:** Mike Seib stated that Moonlight Mountain Recovery had responded to conditions the County had submitted for a Special Use Permit. He said the Commissioners would need to decide on objections from Moonlight Mountain and meet with their attorneys again for further negotiation.

Commissioner Crouch stated that the vacant recovery facility at Crossroads Point Business Center had not been contacted by Moonlight Mountain as a possible alternate location for its business.

Kristi DeWitt stated that up to 16 cars a day enter and leave the recovery center. She raised the question of whether state and federal regulations would be met if more than the 12 residents allowed were present during the day.

➤ Commissioner Crouch said the Board would need more information from the planning and zoning department and the sheriff. Discussion on negotiations was added to the Commissioners' May 15 agenda.

All were excused except Seib.

**Fair Contract:** Seib stated he needed the Commissioners' input on updating the County agreement with the Fair, and the matter was set on May 22 at 3:30.

**Indigent Lawsuit:** Seib said he was preparing written statements before oral arguments regarding the County's denial of an indigent application.

**Impact Zone Changes:** Seib advised that it is a lengthy process to make changes to the impact zone for the City of Jerome.

**Airport Contract:** Seib was still reviewing a contract with Straight Stripe for work on the Jerome Airport, and the matter was added to the May 15 agenda.

### **READ AND APPROVE MINUTES**

There were no minutes for approval.

### **INDIGENT MATTERS**

There were no indigent matters to come before the Board.

Meeting recessed at 4:29 P.M. to go into executive session.

### **EXECUTIVE SESSION**

Meeting reconvened with Deputy Prosecutor Mike Seib at the Thomas H. Borreson Judicial Complex.

❖ 5 P.M. - A Motion was made by Commissioner Crouch to enter executive session per Idaho Code 74-206(1)(b), personnel. It was seconded and carried with a unanimous roll call vote.

6:30 P.M. – Return to open session.

Meeting recessed at 6:30 P.M. until May 10 for another executive session.

Respectively submitted:

BOARD OF COMMISSIONERS

---

Jane White, Deputy Clerk

---

A. Ben Crouch, Chairman

---

Charles M. Howell, Commissioner

---

John Crozier, Commissioner