

**JEROME COUNTY COMMISSIONERS**

Monday, September 28, 2020

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

Meeting convened at 9 A.M.

Commissioner Howell was not present because he was on a fire call.

**COMMISSIONER REPORTS**

Commissioner Crozier had attended a Rotary Club meeting where Commissioner Howell had given a presentation on federal CARES Act funding. He had also attended a South Central Public Health District board meeting where it was determined to change some verbiage in the contract between the Health District and the Crisis Center to be certain that the use of the Center's van was proper.

Commissioner Crozier had also attended a Crisis Center board meeting where directors discussed the advisory board after January 1 when the Center's contract is directly with the Department of Health and Welfare rather than with the Health District.

Commissioner Crozier had also listened to an address by Governor Little, who said moving out of Idaho Rebounds Stage 4 depends on citizens wearing masks.

**RICK HABERMAN—DEPARTMENT OF MOTOR VEHICLES OFFICE CLOSURES**

Assessor Rick Haberman was present.

Rick Haberman informed the Board that the Idaho Tax Commission was requiring that the Department of Motor Vehicle (DMV) departments shut down October 1, 2, 8, and 9 for training on new software. He said the new program would go live on October 13.

DMV employee Susan Pohanka was present.

Susan Pohanka said the new software practice sites were flawed and not user friendly. She added that all State DMV offices would be closed October 8 and 9. She also said there would be additional training the entire week of October 5-9.

9:50 A.M. – Commissioner Howell was present.

➤ The Board asked that the assessor's office post the closures on its door and the Courthouse reader board and possibly send a press release to the newspaper.

**SIGN AND APPROVE CLAIMS**

The Commissioners signed claims for the September 15, 2020, to September 28, 2020, claim cycle as follows.

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**BUDGET TOTALS**

9-15 TO 9/28

#	DEPARTMENT	PAYROLL	ACCT PAY	GRAND TOTAL
1	CLERK	\$ 25,122.92	\$ 455.97	\$ 25,578.89
2	ASSESSOR	\$ 6,435.48	\$ 54.71	\$ 6,490.19
3	TREASURER	\$ 5,161.85	\$ 162.89	\$ 5,324.74
5	COMMISSIONERS	\$ 4,327.14	\$ 177.98	\$ 4,505.12
6	CORONER	\$ 407.10	\$ 340.00	\$ 747.10
10	BUILDING & GROUNDS MAINT	\$ 4,694.93	\$ 6,919.37	\$ 11,614.30
11	EMERGENCY MANAGEMENT	\$ 3,040.02	\$ 51.66	\$ 3,091.68
13	EXTENSION AGENT	\$ 2,941.60	\$ 1,308.88	\$ 4,250.48
14	DATA PROCESSING	\$ 1,264.50	\$ 211.95	\$ 1,476.45
15	ELECTIONS		\$ 2,725.81	\$ 2,725.81
18	GENERAL	\$ 12,520.29	\$ 9,702.44	\$ 22,222.73
21	PLANNING & ZONING	\$ 9,389.11		\$ 9,389.11
22	GIS	\$ 1,444.50		\$ 1,444.50
29	GENERAL FUND RESERVE			\$ -
30	VETERANS	\$ 603.11	\$ 39.73	\$ 642.84
	<b>Sub Total (General Fund)</b>	<b>\$ 77,352.55</b>	<b>\$ 22,151.39</b>	<b>\$ 99,503.94</b>
4	SHERIFF	\$ 51,284.22	\$ 28,164.28	\$ 79,448.50
5	SHERIFF-DETENTION	\$ 52,689.00	\$ 13,397.66	\$ 66,086.66
6	ADULT PROBATION	\$ 6,951.70	\$ 1,346.77	\$ 8,298.47
7	PROSECUTOR	\$ 18,505.83		\$ 18,505.83
8	PUBLIC DEFENDERS		\$ 71.50	\$ 71.50
9	JUVENILE PROBATION	\$ 8,149.70	\$ 930.79	\$ 9,080.49
18	GENERAL JUSTICE	\$ 27,412.24	\$ 20,266.48	\$ 47,678.72
	<b>Sub Total (Justice Fund)</b>	<b>\$ 164,992.69</b>	<b>\$ 64,177.48</b>	<b>\$ 229,170.17</b>
3	AIRPORT	\$ 3,300.42	\$ 22.81	\$ 3,323.23
6	DISTRICT COURT	\$ 4,826.46	5510.66	\$ 10,337.12
7	FAIR	\$ 7,536.57		\$ 7,536.57
9	CAPITAL FAIR		\$ 13,902.00	\$ 13,902.00
11	HEALTH DISTRICT			\$ -
15	ELECTION CONSOLIDATION	\$ 1,734.65		\$ 1,734.65
16	INDIGENT	\$ 3,268.54	\$ 13,191.30	\$ 16,459.84
20	REVALUATION	\$ 11,675.70	\$ 419.99	\$ 12,095.69
23	SOLID WASTE			\$ -
24	TORT			\$ -
27	WEED			\$ -
29	AMBULANCE		\$ 1,469.80	\$ 1,469.80
38	WATERWAYS BOARD			
38	WATERWAYS SHERIFF			
41	BOND REDEMPTION			
	<b>GRAND TOTAL</b>	<b>\$ 274,687.58</b>	<b>\$ 120,845.43</b>	<b>\$ 395,533.01</b>

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

The Board signed a Claims Approval Report dated September 25, 2020, for the Justice Fund, with a grand total of \$41,306.97.

The Board signed a Claims Approval Report dated September 25, 2020, with a grand total of \$98,505.93 for the following funds: General, Airport, District Court II, Justice, Revaluation, Ambulance, Assessor Trust-Licenses, and Jail Commissary Commission.

### **LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEPC) MEETINGS**

The Commissioners followed up from a discussion about Local Emergency Planning Committee (LEPC) meetings with the emergency management director on September 21. They determined they would like the director to schedule the meetings quarterly.

### **DONATIONS**

The Commissioners addressed the amounts of donations in the Fiscal Year 2020-21 budget that differed from their requests during their budget workshops. They had intended to increase the donation to the Eden/Hazelton American Legion Hall to \$6,500 to match the Jerome American Legion donation. They determined to add together the \$6,500 and the \$4,500 allocated to the two Legion posts and divide the amount equally between them.

❖ A Motion was made by Commissioner Crozier to donate \$5,500 to the Jerome American Legion and \$5,500 to the Eden/Hazelton American Legion from the FY 2020-21 budget. It was seconded and carried with unanimous ayes.

➤ The Commissioners determined to follow the budgeted amounts for the Interfaith Association and Rangeland Fire Protection rather than the amounts they had intended in their budget workshops.

### **APPROVE TIME RECORDS**

The Board signed Time Records for Brent Culbertson, Deserae Jones, Nancy Marshall, Christine McGuire, and Mario Umana for the September 13, 2020, through September 26, 2020, payroll period.

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

The Board signed two Catering Permits to the South Hills Bar & Grill, LLC, Hansen, to be used October 2, 2020, from 3 P.M.-1 A.M. and October 17, 2020, from 12 P.M.-1 A.M., both at the Risk Barn.

The Board signed leave requests for Deserae Jones, Brent Culbertson, and Mario Umana.

The Board signed Wage Change forms to increase the salaries by three percent, effective October 1, 2020, for the following employees: Gerald Brant, Rick Haberman, Audrey Sims, Emely Regalado, Tammy Walker, Melanie Spencer, Kelle Lloyd, Juana Arteaga, Michael Seib, Laurel McCord, and Roman Thomason.

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The Board signed Wage Change forms to increase the salaries of sheriff department employees by three percent, effective in the 2020-21 fiscal year for: Vicki Liles, Karen Van Holland, Dean Dekruyf, Eric Jackson, Cory Kehrer, Jose Lopez, Ashley Lezamiz, Marissa Adame, Johnathan Almazan, Conner Booth, Makaylee Booth, Tasha Crouse, Tyson Demaray, Auston Dixon, Clinton Guest, Roger Hartgrave, Robert Hass, Edward Huapaya, Marisela Ibarra, Desea Lance, Darwin Lenker, Morgan Quayle, Brad Sawyer, Joel Sedlmayr, Roger Sedlmayr, Cody Selders, Lorin Thompson, Troy Tolman, Jacob Wing, Teresa Oneida, Leticia Beltran, Kelsey Ordaz, Katrina Gratzler, Rick Bohling, Colton Crockett, Craig Crouse, David Edwards, Michael Guest, Chad Kingsland, Chris McRoberts, Justin Mitchell, Robert Nicholson, Miguel Noriega, David Olson, Austin Rasmussen, Tom Reid, James Ridgway, Sam Roach, Rick Scruggs, Matthew Spencer, Matt West, Jason Wethern, and John Wood.

### **CHRISTINE McGUIRE—VETERANS AND GUARDIANS REPORTS**

Veterans Service Officer Christine McGuire was present.

**Veterans:** Christine McGuire read from her monthly written report, which included 17 office visits and seven home visits. She also reported attending six veteran organization meetings.

McGuire said she had put 10 posts on Facebook, had assisted three other service organizations, and had met with veterans at the Northside Military Museum, helping them with a raffle. McGuire added that veteran information would now be on the County Website and that she was posting Webinars twice a week.

**Board of Community Guardians:** McGuire stated she had not been able to recruit any more volunteers for a tri-county Board of Community Guardians and said she needed two more in order to form the board.

### **PUBLIC HEARING—ZONING MAP AMENDMENT FOR TONYA JEPSON (recorded)**

Present were Planning and Zoning Administrator Nancy Marshall and Assistant Kacie Buhler as well as Attorney Mike Seib. Also present were Tonya Jepson and Virgil Horner.

The deputy clerk sworn in those who were to testify.

### **APPLICANT**

As the applicant for a rezone, Tonya Jepson read a letter she had composed explaining that she was applying to rezone her five-acre property from A-1 (agricultural) to A-2 (rural residential) so that she could divide it, allowing another house on the new parcel. She added that she believed her currently unused 2.5 acres is a fire hazard.

Commissioner Howell questioned the location of Jepson's house; she explained she wished to split off the front half of her property.

### **STAFF**

Nancy Marshall referred to her staff report, which showed the property requested for a rezone near existing livestock confinement operations (LCOs). She said rezoning would allow a

potential of five one-acre lots with a house on each one. She strongly discouraged approval of the rezone, citing her comments on the Comprehensive Plan and spot zoning in her report.

Marshall noted that the property was not in active agricultural use by choice and that it appeared by the deed that water shares are available. She said reducing the current lot size would increase the likelihood that the land would never be utilized for agricultural use.

Marshall said the Plan states that housing not intended to support agricultural uses should not be allowed in agricultural areas or zones. She said, based on the proximity of LCOs and large farm parcels, the property is located in an agricultural area regardless of what it may or may not be zoned. She added that the nearest A-2 zone would be approximately two miles to the east of the property in question.

Marshall said the Planning and Zoning Commission had recommended approval of the application with a split decision but had offered no reasons for approval. She added that two written oppositions to rezoning had been received.

#### IN FAVOR

Virgil Horner was sworn in and testified as a realtor. He cited small parcels to both the north and south of Jepson's property and asked why she would be restricted when other small parcels existed.

#### IN OPPOSITION

No public was present to testify in opposition to the rezone.

#### REBUTTAL

Jepson stated rezoning her property would match surrounding properties and that her neighbors did not oppose the rezone. She repeated that the 2.5 acres was scrub land that was not being utilized and is a fire hazard.

#### DISCUSSION

Commissioner Howell stated a concern is usually not the first buyer after property has been rezoned.

Commissioner Crozier questioned whether a stipulation could be placed on a rezone, but Mike Seib said it could not.

#### REBUTTAL

Jepson said it would not be her desire for there to be more than two houses on the five acres.

#### DISCUSSION

Commissioner Howell stated he was bothered that the Planning and Zoning Commission had recommended approval of the rezone application with a split decision but did not offer its reasoning.

Commissioner Crouch said the County has rules but that he would like to see residents develop their land as they see fit.

The Board considered whether rezoning and the uses it would provide would be consistent with surrounding uses or zoning, whether rezoning would be in the public's interest, and whether rezoning would be consistent with the Comprehensive Plan.

Commissioners Crozier and Crouch favored approving the rezoning.

Commissioner Howell said the lay of the land would be consistent but that he was not in favor of rezoning because of the County's ordinances and its Comprehensive Plan.

Commissioner Crouch said he was in favor of approval because of what surrounds the property even though it would be spot zoning.

Seib said spot zoning is illegal and was excused.

The Commissioners reviewed the spot zoning definition, with Commissioners Crozier and Crouch questioning their earlier opinions.

- The Board recessed its discussion until 4:00 that afternoon.

**DESERAE JONES—MISDEMEANOR PROBATION REPORT**

The Commissioners delayed meeting with the misdemeanor probation administrator until October 5 because of the length of the previous public hearing.

**MARIO UMANA—JUVENILE PROBATION REPORT**

The Board delayed meeting with the juvenile probation administrator until October 5 because of the length of its previous public hearing.

Meeting recessed at 12:12 P.M.

Meeting reconvened at 1:20 P.M.

**GREG MOORE—OFF ROAD ASSOCIATION REIMBURSEMENT**

Present were Greg Moore and Josh Martin, Southern Idaho Off Road Association; and Deputy Sheriff Dean Dekruef.

As president of the Off Road Association, Josh Martin presented receipts from the volunteers' annual cleanup of the Snake River Canyons Park and reported on the activity held on September 12. He said Coastline Equipment had donated two loaders and that there was less trash to pick up than in 2019, which he believed may have been the result of reducing the area for shooting and improvements made to the Park.

Greg Moore stated the tonnage had reduced from 8,000 to 5,300 pounds.

Commissioner Howell asked about the possibility of sponsoring more activities in the Park, and Moore said a truck competition might be possible.

❖ A Motion was made by Commissioner Crouch was made by Commissioner Crouch to pay the expenses for the Snake River Canyons Park cleanup to the Southern Idaho Off Road Association in the amount of \$375.37. It was seconded and carried with unanimous ayes.

### **GARY TAYLOR—VEHICLE PURCHASE FOR JAIL**

Present were Deputy Sheriffs Gary Taylor and Dean Dekruyf as well as Emergency Management Director Tanya Stitt.

Chief Deputy Sheriff Gary Taylor asked permission to purchase a new vehicle for prisoner transport from the FY 2020-21 budget.

Deputy Dekruyf said he had located a 2020 Dodge Grand Caravan that would suit the sheriff department needs.

Deputy Taylor told the Board the department would not be trading in a vehicle and explained what the uses of the current vehicles would be.

❖ A Motion was made by Commissioner Crouch to purchase a new basic Dodge Caravan for transporting prisoners, not to exceed \$30,000. It was seconded and carried with unanimous ayes.

Deputy Taylor and Tanya Stitt informed the Board of the need for a new projector in the training room at the sheriff's complex.

❖ A Motion was made by Commissioner Howell to approve the purchase of a projector for the James Moulson Training Room. It was seconded and carried with unanimous ayes.

The Board asked Stitt for information about Local Emergency Planning Committee (LEPC) meetings. She said they were begun to address chemical use but had evolved to include all hazards.

Stitt stated different groups make presentations at the meetings but that the presentations could also be done in a different way.

➤ The Board agreed that it would like Stitt to hold the meetings quarterly.

### **TIM LARSON—AIRPORTS REPORT**

Airport Manager Tim Larson was present. Kent Atkin, JUB Engineers airport consultant, was present by speakerphone.

**Kent Atkin:** Kent Atkin stated there would be a pre-bid conference on September 30 for rehabilitating the current Jerome Airport runway in 2021. Bids would be opened by the Commissioners on October 13 at 2 P.M.

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Atkin said advertising for updating the Airport Master Plan would be within the next two months.

**Cabinet for Fuel Island:** Tim Larson said he was waiting for additional quotes.

**QT Pod Reimbursement:** Larson reported he had negotiated with QT Pod regarding reimbursement for repair of the fuel island terminal. He said the company had agreed upon credit toward the next annual membership bill.

**Chain Link Fence:** Larson said he was still waiting to hear whether he could use CARES Act funding to install a chain link fence on the north side of the Jerome Airport to prevent animals from accessing the runway.

**Fuel Pricing:** Larson told the Board he had spoken with other small airport managers about how they price fuel for their customers.

➤ The Commissioners suggested that Larson change fuel prices each time he receives a new delivery and reset the price on the pump. They asked that he consult the members of the Airport Advisory Board at their next meeting.

**Water Pressure:** Larson reported improved water pressure at the Jerome Airport following replacement of a tank, motor, pump, and pipe.

**Tractor Repair:** Larson said Burke's Tractor had picked up the tractor from the Airport again because the company had made a mistake in repairing it.

**Electrical Rack Move:** E-1 Electric was still not available to move the electrical rack at the Jerome Airport, according to Larson.

Larson said cleaning out the green shed is still ongoing and that the old grass seed he used did not germinate.

#### **MICHELLE EMERSON—CLERK MATTERS**

Clerk/Auditor/Recorder Michelle Emerson, Chief Deputy Clerk Tracee McKim, and Deputy Clerk/Elections Specialist Cy Lootens were present.

**Certify Levies:** Tracee McKim presented a Certificate of County Levies for the 2020 property taxes.

❖ A Motion was made by Commissioner Crozier to certify the levies for the County of Jerome as presented by staff. It was seconded and carried with unanimous ayes.

**Jail Bond Refinance:** Michelle Emerson presented a document for the chairman's signature in order to refinance the County's jail bond as well as a check for \$100,000 as a down payment.

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❖ A Motion was made by Commissioner Crouch to authorize the chairman to sign on behalf of the Board to accept the bond refinance terms and conditions. It was seconded and carried with unanimous ayes.

**Election Polling Places:** Cy Lootens gave the Board a resolution to set polling places that would be used for the upcoming November 3 election. He said that Falls City Precinct voters would vote at the Jerome County Airport because the Ascension Priory would no longer be available.

❖ A Motion was made by Commissioner Howell to sign Resolution No. 2020-38 to set polling places. It was seconded and carried with unanimous ayes.

**RESOLUTION NO. 2020-38  
DESIGNATED POLLING PLACES  
September 28, 2020**

WHEREAS, the Jerome County Commissioners having received a request from County Clerk Michelle Emerson to designate polling places for the precincts for the upcoming November 3, 2020, election; and

THEREFORE, BE IT HEREBY RESOLVED by the Board of County Commissioners for Jerome County, State of Idaho, the designated polling places stated below shall be the designated polling places as required by Idaho Code Section 34-302.

**Precincts**

- #1 Bishop-Court
- #2 Canyonside
- #3 Eden
- #4 Falls City
- #5 Hazelton
- #6 Northeast
- #7 Northwest
  
- #8 Rimrock
- #9 Shepherd-View
- #10 Southeast
  
- #11 Southwest

**Polling Places**

- Episcopal Parish Hall; 201 South Adams; Jerome, Idaho
- Jerome Recreation District; 2032 South Lincoln Avenue; Jerome, Idaho
- Valley School District #262; 882 Valley Road; Hazelton, Idaho
- Jerome County Airport; 472 Highway 25; Jerome Idaho
- Valley School District #262; 882 Valley Road; Hazelton, Idaho
- Jerome City Library; 100 First Avenue East; Jerome, Idaho
- Jerome School District #261; Administration Building, 125 Fourth Avenue West (Old Middle School Gym); Jerome, Idaho
- Jerome Recreation District; 2032 South Lincoln Avenue; Jerome, Idaho
- Jerome Middle School; 520 Tenth Avenue West; Jerome, Idaho
- Jerome School District #261; Administration Building, 125 Fourth Avenue West (Old Middle School Gym); Jerome, Idaho
- Jerome School District #261; Administration Building, 125 Fourth Avenue West (Old Middle School Gym); Jerome, Idaho

**Absentee/Early Voting**

Jerome County Courthouse; 300 North Lincoln Avenue, Room 301; Jerome, Idaho

/s/ Cy Lootens  
Michelle Emerson, Jerome County Clerk

/s/ Charles M. Howell  
Charles M. Howell, Chair

( S E A L )

/s/ A. Ben Crouch  
A. Ben Crouch, Commissioner

/s/ John Crozier  
John Crozier, Commissioner

Lootens was excused.

**Time Off, Continued from September 21:** Emerson told the Board that it was necessary for a deputy clerk to take 13 working days off waiting for COVID-19 test results, which equated to 17.5 hours more than the 80 hours of leave allowed for COVID-related absences.

❖ A Motion was made by Commissioner Howell to reimburse 17.5 hours of COVID-related PTO [Paid Time Off] due to a delay in receiving testing results. It was seconded and carried with unanimous ayes.

**Wage Change Forms:** The Board signed Employee Wage Change forms to increase the salaries of employees in the clerk's office by three percent, effective October 1, 2020, for: Michelle Emerson, Cheryl Reeder, Karen Wood, Charry Cushman, Tracee McKim, Jesus Mendez, Jane White, Jeri Wilson, Gabriela Arteaga, Pam Bogue, Traci Brandebourg, Angie Bridge, Michelle Creek, Biridiana Gonzalez, John Lage, Melanie Mani, Kelsie Rook, Sandra Peterson, Cy Lootens, Kim Drury, and Lorena Aguilar.

### **GARY WARR—CAPITAL PROJECTS**

Fair Board President Gary Warr was present.

**Capital Projects:** Gary Warr reported that the Fair had ordered livestock panels amounting to \$13,902. He said water trough parts could be purchased in the current fiscal year, with the necessary concrete from the next fiscal year budget.

Warr proposed using funds from the Fair Capital line in the current fiscal year to pay a lump sum toward the loan on the beef barn.

➤ The Board determined to pay \$25,000 from the Fair Capital budget line in the current budget year, paying off the remainder of the debt in FY 2020-21.

### **CONTINUED DISCUSSION ON ZONING MAP AMENDMENT FOR TONYA JEPSON**

Present were Planning and Zoning Administrator Nancy Marshall and Assistant Kacie Buhler. Also present was Tonya Jepson.

Commissioner Howell reopened a Board discussion on spot zoning following the Board's public hearing that morning on an application to rezone Tonya Jepson's property.

Commissioner Crouch said the County has laws to follow but that they could be changed in the future. Commissioner Crozier asked Marshall if there were a legal way to place another home on Jepson's property, and she said a second home cannot be placed on a second parcel.

❖ A Motion was made by Commissioner Crouch to deny the zone change for Tonya Jepson. It was seconded and carried with unanimous ayes.

➤ The Board was to sign a Memorandum Decision from its legal counsel reflecting its decision at a later date.

### **MIKE SEIB—LEGAL COUNSEL**

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It was not necessary to meet with legal counsel again.

**READ AND APPROVE MINUTES**

❖ A Motion was made by Commissioner Crouch to approve the minutes of July 6, July 21, September 14, and September 21 as read. It was seconded and carried with unanimous ayes.

**INDIGENT MATTERS**

❖ A Motion was made by Commissioner Crozier to follow staff recommendations for indigent matters. It was seconded and carried with unanimous ayes. Denied was Case No. 1112-045.

Meeting adjourned at 4:40 P.M.

Respectively submitted:

\_\_\_\_\_  
Jane White, Deputy Clerk

\_\_\_\_\_  
Charles M. Howell, Chairman

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A. Ben Crouch, Vice Chairman

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John Crozier, Commissioner