

## **JEROME COUNTY COMMISSIONERS**

Monday, February 22, 2016

PRESENT: Charles Howell, Chairman  
Catherine Roemer, Vice Chairman  
Roger Morley, Commissioner  
Jane White, Deputy Clerk

Meeting convened at 9 A.M.

### **COMMISSIONER COMMITTEE REPORTS**

Commissioner Morley said the memorial service for the airport manager had been well attended.

Commissioner Howell gave the Board a sheet of radio and call volume statistics for the Southern Idaho Regional Communications (SIRCOMM) agency. He reported Lincoln County Commissioner Cresley McConnell had been elected chairman of the SIRCOMM board, with Twin Falls County Commissioner Leon Mills as vice chairman. He also informed the Board of SIRCOMM finances, a staff shortage, Teton Wireless coverage, and a five-month deadline to rehabilitate the agency's dispatch system.

Commissioner Howell stated he had been reappointed to the Bureau of Land Management Resource Advisory Council by the US Secretary of the Interior. The Council advises on balanced management of the nation's public lands.

Commissioner Roemer reported she had attended a Local Emergency Planning Committee meeting and had been learning from presentations of different entities at its monthly meetings.

As a member of an advisory board for the Idaho National Laboratory (INL) near Idaho Falls, Commissioner Roemer invited the other Commissioners to attend one of its meetings to be held in Twin Falls in April.

### **APPOINTMENT TO THE ANIMAL DAMAGE CONTROL BOARD**

The Board was in receipt of a letter from the executive director of the Idaho Wool Growers Association re-nominating Cevin Jones to the Animal Damage Control Board.

❖ A Motion was made by Commissioner Howell to reappoint Cevin Jones to the Animal Damage Control Board. It was seconded and carried with unanimous ayes.

### **APPROVE ATTENDANCE RECORDS**

The Board approved attendance records for the January 21 through February 20 reporting period for employees Clint Blackwood, Art Brown, Brent Culbertson, Kyle Fisher, and Robert Smith.

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

The Board signed Employee Wage Change forms for David Olson for a salary increase, effective February 1, 2016, because he had received his POST LII certification, and for Leslie Ploss as a newly hired administrative assistant in the sheriff's office.

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The Board signed two Leave Request/Sick Time forms for Kyle Fisher and two for Art Brown.

The Board signed two Time Clock Correction forms for Clint Blackwood.

### **CLAIMS**

Commissioner Howell signed claims for the February 9, 2016, to February 23, 2016, claim cycle as follows: **Clerk**, \$306.76; **Assessor**, \$25.00; **Treasurer**, \$190.63; **Commissioners**, \$657.00; **Emergency Management**, \$48.26; **Data Processing**, \$41,024.43; **Elections**, \$780.33; **General**, payroll \$65,778.00, accounts payable \$15,095.87, total \$80,873.87; **Planning and Zoning**, \$1,538.47; **Veterans**, \$21.00; **Subtotal General, payroll \$65,778.00, accounts payable \$59,687.75, total \$125,465.75**; **Sheriff**, \$4,341.19; **Sheriff-Detention**, \$3,918.27; **Adult Probation**, \$1,046.40; **Public Defenders**, \$8,586.50; **Juvenile Probation**, \$15,303.01; **General Justice**, \$59,477.30; **Subtotal Justice, \$92,672.67**; **Airport**, 14,266.70; **District Court**, \$3,809.85; **Health District**, \$9,821.00; **Election Consolidation**, \$2,979.37; **Indigent**, \$8,215.95; **Revaluation**, \$482.12; **Correctional Facility**, \$683,518.15; **Bond Redemption**, \$237,770.75; **Totals, payroll \$65,778.00, accounts payable \$1,113,224.31, Grand Total, \$1,179,002.31.**

### **BRENT CULBERTSON—MAINTENANCE MATTERS**

Maintenance Supervisor Brent Culbertson was present.

**Maintenance Report:** Culbertson said he had reconditioned the lawnmower in anticipation of the upcoming season. He had also rebuilt a desk and shampooed carpets at the Judicial Annex Building.

Culbertson questioned the Board about providing custodial work at the new jail building when it opens, and he was advised to visit with the sheriff about it. It was determined Culbertson would accompany the Commissioners on a jail tour on February 29.

**Public Defender Building Remodel:** The Commissioners told Culbertson the public defenders would like a pony wall at their office provided by the County. He said he would pursue the task by consulting the defenders.

### **KYLE FISHER—PROBATION REPORT**

Probation Administrator Kyle Fisher was present.

Commissioner Howell questioned Fisher about the extent of the gang problem in the County. Fisher said drug addiction had increased and that gangs and drugs often occur together. He added that all County juvenile probation officers would attend a gang conference in Utah April 12-13.

Fisher reported a misdemeanor probation officer had learned good information about pre-sentence releases at schooling in Denver. He also said his office was working with local schools on restorative conferencing to enable schools to handle truancies.

Fisher said he had sent to legal counsel an updated firearms' policy. He also requested that the probation offices expand into the current detective offices when the sheriff department moves to the new jail facility.

### **BOB SMITH—VETERANS REPORT**

Veterans Service Officer Bob Smith was present.

Smith commented on his monthly written report of service projects. He explained 14 projects, which included four new veteran enrollments, three outreach appointments, and consultation and service to one surviving family member.

### **RYAN ARMBRUSTER—URBAN RENEWAL**

Ryan Armbruster, attorney for the County Urban Renewal Agency, was present by speakerphone. Also present were Larry Hall, executive director for Jerome 20/20; and Arlen Crouch.

Commissioner Howell continued a discussion the Board had with Armbruster on February 16 by asking why a consultant was necessary before the Commissioners would determine whether to approve another Urban Renewal area.

Armbruster said that State statute required a finding that an area qualifies for Urban Renewal and that in his experience an impartial third party was best to determine whether an area qualifies. He also said an expert's opinion would be important in the event of a court challenge.

Clerk/Auditor/Recorder Michelle Emerson was present.

Commissioner Howell questioned why the Commissioners could not write the eligibility report, and Armbruster said a top-notch and ironclad report would protect both the Urban Renewal Agency and the Commissioners.

Commissioner Howell asked what the advantage of an Urban Renewal area was in economic development. Armbruster said a UR area could help a developer or investor afford necessary infrastructure.

Commissioner Roemer commented that a professional consultant would use the same criteria as the Commissioners when determining the eligibility of an area according to State statute.

Armbruster replied that the Commissioners would have a conflict of interest in studying the eligibility of an area but that a consultant would have no vested interest in the property.

Commissioner Roemer questioned whether an eligibility report would be objective. Armbruster gave an example of an Idaho Falls project where some acreage under study was not included in the eventual UR boundary.

Commissioner Roemer asked about the usual method of paying for UR eligibility studies. Armbruster said that it was not uncommon for municipalities to pay for studies but that the Idaho Legislature had criticized URAs for funding studies for other UR areas.

Armbruster said the URA would pay the County \$7,500, which would cover the cost of an eligibility study. Commissioner Roemer argued that such circular financing would be just renaming the funding. She preferred the County to hire a consultant rather than to accept money from the current URA.

Armbruster recommended Kushlan Associates to write an eligibility study, but Commissioner Roemer said it was best to compare when hiring.

➤ More discussion on forming an additional Urban Renewal area was scheduled later in the day with the County's legal counsel.

### **ART BROWN—CROSSROADS POINT EAST SUBDIVISION FINAL PLAT**

Planning and Zoning Administrator Art Brown and Assistant Administrator Nancy Marshall were present. Also present were Arlen and Blair Crouch, Crossroads Point Business Center; Bud Rasmussen and Dennis Kulhanek, Jerome Highway District; Steven Tonks, Idaho Transportation Department (ITD); and Larry Hall, Jerome 20/20.

Brown informed the Board that a final plat requirement is that the infrastructure for a project is completed. He said the highway for this project had not been upgraded but that representatives from the Jerome Highway District and the Idaho Transportation Department (ITD) were present to commit to the highway construction using their grant funds.

Crouch, as one of the owners of property to be used for highway expansion, told the Commissioners the history of his involvement in the project.

Kulhanek said the ITD would be helping the Jerome Highway District to create a five-lane road.

Tonks stated that roadway changes would make the traffic flow safer.

❖ A Motion was made by Commissioner Howell that (1) the application is complete; (2) it complies with standards of the Zoning Ordinance, Chapter 8, and there is no preliminary plat; and (3) the applicant has satisfied the Board in demonstrating that good cause has been shown that the incomplete improvements will be completed. The Board approves the final plat as submitted pending signatures from the required public agencies. It was seconded and carried with unanimous ayes.

Meeting recessed at 12:01 P.M.

Meeting reconvened at 1:23 P.M. with Commissioners Roemer and Morley present. Commissioner Roemer presided in Commissioner Howell's absence.

### **KATHLEEN HITE—FAIR MATTERS**

Fair Manager Kathleen Hite was present.

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**Fair Capital Improvement Projects:** Hite presented estimates for repairing the Messersmith Building at the Fairgrounds, which included roof repairs, a new heating and cooling unit, and replacement of a door.

❖ A Motion was made by Commissioner Roemer to approve \$13,100 for maintenance at the Fairgrounds from the Fair-Capital Fund. It was seconded and carried with unanimous ayes.

**New Fair Board Directors:** Hite presented applications for a Fair Board member because of the resignation of Larry Kimball. She said the Fair Board had recommended Joe Trevino but that she would favor appointing Mariann Schiewe.

Discussion of the applicants followed.

❖ A Motion was made by Commissioner Roemer to approve the appointment of Mariann Schiewe to the Jerome County Fair Board to fulfill Larry Kimball's vacated position and to finish out his term until January 16, 2017, effective immediately. It was seconded and carried with unanimous ayes.

❖ 1:40 P.M. – A Motion was made by Commissioner Roemer to go into executive session per Idaho Code Section 74-206(1)(b) regarding employees. It was seconded and carried with a unanimous roll call vote.

1:42 P.M. – Return to open session.

➤ Hite said she was seeking a new maintenance employee at the fairgrounds due to an employee termination and was running ads for a replacement employee.

2 P.M. – Commissioner Howell was present and presiding.

### **MICHELLE EMERSON—WAGE CHANGE FORMS**

Clerk/Auditor/Recorder Michelle Emerson was present.

Emerson requested a salary increase for one of her deputy clerks and said that she would like to raise all of the deputy clerk salaries, citing low County wages in relation to other Idaho counties and the difficulty in finding suitable applicants. She said there were sufficient funds in the clerk's budget for increases.

Commissioner Roemer said she was surprised by the mid-fiscal-year request. She said she did not disagree with the amounts requested but with the timing.

➤ Commissioner Howell said he would need more time to study the wage information Emerson had presented, and she said she would add to it and summarize it all on one sheet.

### **TERESA ONEIDA—CENTURY LINK FIBER OPTICS**

Civil Deputy Sheriff Teresa Oneida, Sheriff Doug McFall, and Deputy Jack Johnson were present.

Oneida presented a price quote and request for signature from CenturyLink for telephone services at the new jail facility.

Sheriff McFall said he would expect phone services at the Courthouse to decrease when his offices move to the jail.

Discussion was held about the number of megabytes to purchase.

➤ It was determined Oneida would provide more cost information and that the Board would consult the Information Technology specialist when she returned from vacation.

### **ADRIANNA HUMMER—FOLLOW-UP ON SOURCE WATER PROTECTION PLAN**

Attorney Mike Seib was present. Also present was Adrianna Hummer, source water protection specialist for the Idaho Rural Water Association (IRWA).

Hummer followed up from her presentation to the Board on August 17, 2015. She had researched the plan of the Mid-Snake Regional Water Commission and reported it contained the same template for a water protection ordinance that she had asked the Commissioners to adopt in August. She said she hoped the five counties comprising the IRWA would adopt a water protection ordinance but that none of them had.

Commissioner Morley asked what restrictions such a plan would place on County property, and Hummer said each county writes its own restrictions in its ordinance.

➤ The Commissioners determined to discuss the information provided by Hummer with the Planning and Zoning administrator and legal counsel at a later date.

### **MIKE SEIB—LEGAL COUNSEL**

Attorney Mike Seib and Clerk/Auditor/Recorder Michelle Emerson were present. Also present were Arlen Crouch and Larry Hall.

**McCabe Public Records Request:** Seib said he would advise McCabe of an approximate cost for the public records he had requested.

**Urban Renewal Discussion:** Crouch addressed the Board as a part owner of land the Urban Renewal Agency would like the County to approve as a second UR area. He said an Urban Renewal area on the property would render it competitive when companies were seeking locations for development. He informed the Board part of the land in question was being farmed but with a lessee's water shares.

Commissioner Roemer questioned the necessity of another UR area at the present time because the first UR area was not filled.

Crouch said he believed there would be no risk in establishing another area but that the reward could be huge.

Emerson reported to the Board from her consultation with the County's outside auditor about accepting \$7,500 from the Urban Renewal Agency before paying \$7,500 for an eligibility study. He had said that such a transaction sounded like a grant from the URA to have a study done and that the County would be disguising the transaction by accepting \$7,500 from the Agency.

Commissioner Roemer said she favored the County funding a study without UR money, and Commissioner Howell said the County had funds available for such a study.

➤ Commissioner requested that the Board set a phone conference with the party recommended by the URA to perform an eligibility study.

Those present were excused except for the County's legal counsel.

Seib said a consultant would not make a conclusion of an area's eligibility for an Urban Renewal District but that it would provide facts to the Commissioners for their decision of eligibility. He said he perceived hiring a consultant as a game.

**Courthouse Security with Courthouse Department Heads:** Present were Planning and Zoning Administrator Art **Brown**, Veterans Service Officer Robert **Smith**, Probation Administrator Kyle **Fisher**, Assessor Rick **Haberman**, Emergency Management Coordinator Clint **Blackwood**, Sheriff Doug **McFall**, Clerk/Auditor/Recorder Michelle **Emerson**, Maintenance Supervisor Brent **Culbertson**, Treasurer Tevian **Ekren-Kober**, and Prosecutor John **Horgan**.

The Commissioners discussed whether to take any action regarding the security of the Courthouse when the sheriff's department moves to the new correctional facility. Suggestions were made by the Commissioners, the probation administrator, and the sheriff.

Seib proposed to hold evening meetings at the Judicial Annex Building because security is already in place there. Commissioner Roemer suggested using the all-purpose room at the new correctional facility for public meetings.

➤ It was determined that the Board would pursue ideas with the sheriff, the maintenance supervisor, the probation administrator, and the emergency management coordinator.

### **APPROVE CLAIMS**

❖ 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 February 18, 2016, for the Justice Fund, with a grand total of \$28,771.20.

The Board signed a Claims Approval Report dated February 18, 2016, for the Indigent Fund, with a grand total of \$7,815.95.

The Board signed a Claims Approval Report dated February 18, 2016, for the Court Trust-ISTARS, Court Bond Trust, and Restitution-Courts Funds, with a grand total of 4,290.82.

The Board signed a Claims Approval Report dated February 19, 2016, with a grand total of \$249,187.62 for the following funds: General, Airport, District Court II, Justice, Health District, Election Consolidation, Indigent, Revaluation, and Drug Trust.

**INDIGENT MATTERS**

❖ A Motion was made by Commissioner Roemer to follow staff recommendations for indigent matters. It was seconded and carried with unanimous ayes. Approved was Case No. 1516-045. Denied were Case Nos. 1516-025; 1516-043; 1516-044; 1516-047; 1516-042; 1516-048; and 1516-046; dismissed was Case No. 1516-003.

Meeting adjourned at 5:03 P.M.

Respectively submitted:

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Charles M. Howell, Chairman

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Jane White, Deputy Clerk

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Catherine M. Roemer, Commissioner

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Roger M. Morley, Commissioner