

## **JEROME COUNTY COMMISSIONERS**

Monday, May 16, 2016

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

Meeting convened at 9:06 A.M.

### **COMMISSIONER COMMITTEE REPORTS**

Commissioner Morley reported from a Business Plus luncheon, where he obtained insight on economic development plans.

Commissioner Howell related from a Jerome 20/20 meeting. Starr Construction had given a presentation, and representatives from Jerome 20/20 were to meet with the President of the University of Idaho as well as the Dean of Agriculture about establishing a dairy research facility in southern Idaho. Commissioner Howell also provided the Board with written agendas and minutes from Jerome 20/20, which included its budget and information on 12 projects.

Commissioner Howell also reported from a Fair Board meeting; he said the new wall is being constructed at the Fairgrounds and that the recent high school rodeo had gone well. He had also attended the Business Plus luncheon.

Commissioner Roemer had listened to a Webinar from the Idaho Association of Counties where she heard recent legislative updates pertinent to counties. She had also spoken with representatives from the Department of Environmental Quality concerning the request of the Idaho Rural Water Association for the County to adopt a water protection plan.

### **SIGN JAIL CLAIMS**

Commissioner Roemer reached Russ Moorhead of LCA Architects by speakerphone to verify that a five percent retention fee had been withheld from Scott Hedrick Construction.

❖ A Motion was made by Commissioner Morley to pay LCA Architects \$4,400.00 for professional services in April; Computer Arts \$3,971.04 for LifeSize ICON 400 support and LifeSize ICON 400 Phone HD; Computer Arts \$16,024.32 for a LifeSize video system; Handcuff Warehouse \$3,431.06 for handcuffs and waist chains for the new jail facility; Absaroka Construction \$4,885.00 for a tower for the new correctional facility; Office Depot \$439.98 for a marker board; and Office Depot \$1,899.97 for two marker boards. It was seconded and carried with unanimous ayes.

### **SIGN INTERPATH LABORATORY AGREEMENT**

This agreement, which had been approved by the Commissioners on May 9, was not available for signature.

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### **SIGN DANIEL'S PROPERTY PURCHASE AGREEMENT**

Commissioner Howell had questions about a sale agreement to purchase property from Karen Daniel as had been approved on May 2.

- The matter was continued until later in the day.

### **SIGN MINIDOKA HOSPITAL SUPPORT LETTER**

Kim Vega, Minidoka Memorial Hospital, had requested that the Commissioners sign a letter of support for a grant application from the Hospital because it provides emergency services to a small part of Jerome County.

❖ A Motion was made by Commissioner Howell to sign the Minidoka Hospital Support letter. It was seconded and carried with unanimous ayes.

### **DISCUSS—SUBDIVISION RESPONSE FOR THE CITY OF JEROME**

The Board was in receipt of a letter from Jerome 20/20 that requested the Commissioners' comments regarding a proposed subdivision to be considered by the City of Jerome Planning and Zoning Commission.

The Board had no objection to the subdivision and sent its sentiments to City Planner Esmeralda Chavez.

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

The Board continued from May 9 the signing of a document requested by LCA Architects.

❖ A Motion was made by Commissioner Roemer to allow the chairman to sign the Certificate of Substantial Completion for the Jerome County Justice Center. It was seconded and carried with unanimous ayes.

The Board signed a Retail Alcoholic Beverage License for Larry Webb dba Northside Club, Jerome.

The Board signed a Claims Approval Report dated May 13, 2016, for the Insurance Deductible Trust, with a grand total of \$5,408.53.

Commissioner Howell signed two fireworks permits for E Shop, LLC, Twin Falls, to be sold at 1017 South 1150 East, Eden, and at 5421 #2, US Highway 93, Jerome.

Commissioner Howell signed a catering permit for Soran Restaurants dba the Turf Club, Twin Falls, to be used at 518 Del Drive (Watkins Distributing), Jerome.

The Board signed a leave request for Clinton Blackwood.

The Board signed a Claims Approval Report dated May 9, 2016, for the Court Trust-ISTARS, Court Bond Trust, and Restitution-Courts Funds, with a grand total of \$4,918.30.

### **DOUG McFALL—JAIL LANDSCAPING**

Sheriff Doug McFall was present.

Sheriff McFall presented an estimate for additional irrigation work at the new jail and drew on the whiteboard the location of proposed grass.

Commissioner Roemer suggested decorative gravel in place of some of the grass, to which Commissioner Morley agreed. Sheriff McFall said gravel might not be less expensive but that it would require less maintenance.

Commissioner Howell stated perhaps the County maintenance employee could work with the sheriff on landscaping, and the matter was tabled for future consideration.

### **DISCUSS LETTER TO PARKER**

Airports Manager Garth Baker was present.

Baker had submitted a draft letter that the Board had asked him to write to George Parker requesting receipts documenting overcharges on fuel purchased at the Jerome Airport.

- It was determined the Commissioners would sign the letter.

### **DECISION REGARDING AIRPORT RESIDENCE**

Airports Manager Garth Baker was present.

The Board discussed with Baker having a County employee live in the Jerome Airport residence.

Commissioner Roemer said she was in favor of retracting the offer to the airport maintenance employee to live in the residence.

Mike Dahmer was present.

Baker suggested using the residence as the airport terminal.

❖ A Motion was made by Commissioner Howell to withdraw the offer to Will Jackson for the residence at the Jerome Airport. It was seconded, followed by discussion, and carried with unanimous ayes.

- It was determined Baker would tell Jackson of the Board's decision.

### **GARTH BAKER—AIRPORTS REPORT**

Airports Manager Garth Baker was present. Also present was Mike Dahmer.

Baker said the Jerome Airport had experienced a 32 percent increase in fuel sales since he had lowered the price by \$.05 per gallon.

Baker said the mowing deck on the tractor at the Airport had been broken and that repair could run between \$3,000-\$6,300. He suggested employing a professional for mowing and for spraying weeds.

Baker said he was evaluating whether a full-time maintenance person at the Airport was necessary and that he was creating a job description for the maintenance employee.

- Commissioner Roemer requested that Baker submit the Board a daily time log.

The Airport Advisory Board had set the annual Fly In at the Jerome Airport for July 16.

### **ART BROWN—CONTINUED WORKSHOP FOR AMENDMENTS TO THE ZONING ORDINANCE**

Planning and Zoning Administrator Art Brown and Attorney Mike Seib were present. Also present was Mike Dahmer.

**Workshop:** Brown brought additional language and chart changes to add to amendments to Chapter 5, Charts 5-1 and 5-6, and affected Chapters 2, 6, and 13 of the Zoning Ordinance. Differentiation between a “farm house” and living quarters had been defined, satisfying a concern expressed by the County’s legal counsel on May 9. The Board agreed to the changes, and Brown said he would present them at the public hearing for the ordinance amendments on May 31.

**Sign Surveyor Contract:** Brown presented a contract with J-U-B Engineers, Inc., to perform surveying services for the County. Commissioner Howell signed it as chairman of the Board.

### **CLINT BLACKWOOD—OFFICE OF EMERGENCY MANAGEMENT REPORT**

Emergency Management Coordinator Clint Blackwood was present. Also present was Mike Dahmer.

Blackwood submitted and expanded on a written report of his activities within the last month as well as his upcoming events. He reported that Country Boy Excavation had determined that it was not able to fence the radio tower site without part of the payment in advance, so he had notified the second lowest bidder, Taylor Made Fence, and had also secured financing approval from the Bureau of Homeland Security.

Meeting recessed at 11:50 A.M.

Meeting reconvened at 1:15 P.M.

### **KAREN DANIEL—MEDICAL BILLS**

This matter was continued until May 23.

### **MITCH CROMWELL—COMPUTER ARTS**

Chief Deputy Clerk Tracee McKim was present. Also present were Mitch Cromwell, president of Computer Arts, and Mike Dahmer.

Cromwell explained why County computers had been down three times recently. He cited (1) a power surge, (2) failure of equipment that was only two years old, and (3) a computer virus. He said Computer Arts had learned that in the future it would be important to restore service to the sheriff's office first.

Cromwell answered questions from Commissioners Morley and Roemer and advised that an employee should shut down a computer if he or she accidentally clicks on something that could be a virus.

### **TEVIAN EKREN-KOBER—TAX DEED HEARINGS (recorded)**

Treasurer Ekren-Kober was present. Also present was Mike Dahmer.

Ekren-Kober read the actions taken by the treasurer's office since January 6, 2016, in an attempt to collect overdue taxes before the County would be required to take properties by tax deed.

### **Panzie Garcia**

Ekren-Kober explained she had visited the residence of Garcia to notify her of the pending tax deed. The owner had subsequently not paid the taxes as agreed.

❖ A Motion was made by Commissioner Howell to put legal description and Parcel No. RPJ13701370040 on tax deed. It was seconded, followed by discussion, and carried with unanimous ayes.

### **Gordon Halverson**

Ekren-Kober told of payments made on overdue taxes but said the necessary amount for a residence on the Snake River Canyon rim had not been received.

❖ A Motion was made by Commissioner Howell to place Parcel No. RP000630020070 on to tax deed as recommended. It was seconded, followed by discussion, and carried with unanimous ayes.

Ekren-Kober said the property owner could redeem his property up until the time of the County's tax deed auction, which would be August 16, 2016, but that he would need to pay all taxes and fees due in order to do so.

### **Walter Tibbets**

Ekren-Kober said the property in question was 40 acres of desert, with no access.

❖ A Motion was made by Commissioner Howell to place Parcel No. RP09S20E219240 on to tax deed. It was seconded, followed by discussion, and carried with unanimous ayes.

### **FATUSHE HETEMI—ORDINANCE REGARDING FOOD VENDORS**

Hetemi was not present because the County's legal counsel had advised that it was legal for vendors to sell food if they were parked on private property.

**SEAN DENNIS—CASUALTY LOSS APPLICATION**

Dennis was not present, so this matter was not addressed.

**GEORGE PANAGIOTOU—QUESTIONS REGARDING THE SNAKE RIVER CANYONS PARK**

Attorney Mike Seib was present. Also present was George Panagiotou, president of the Snake River Canyons Park Board.

Panagiotou showed the Board a draft of three signs for the Snake River Canyons Park and said he needed a phone number to put on the signs. He stated he would seek the approval of the Park board and then consult the Idaho Transportation Department regarding the locations of the signs.

Panagiotou wanted to erect the Park signs before directing shooting to a designated area in the Park.

**MIKE SEIB—LEGAL COUNSEL**

Attorney Mike Seib and Planning and Zoning Administrator Art Brown were present.

**Ironwood Quitclaim Deed, Continued from May 9:** Seib advised he perceived no problems with the deed to the City of Jerome.

❖ A Motion was made by Commissioner Morley to accept the quitclaim deed as written to the City of Jerome for an Ironwood Street right-of-way. It was seconded, followed by discussion, and carried with unanimous ayes.

**Airport Minutes:** Seib said he would e-mail the Commissioners the Idaho statute regarding minutes for meetings of governmental agencies.

**Claim Documentation for Employee/Supervisor Manual:** This matter was continued until May 23.

**Ordinance 2016-4:** Brown presented an ordinance to amend the Zoning Map according to a Board decision for Westec Enterprises on April 25.

❖ A Motion was made by Commissioner Roemer to adopt Ordinance 2016-4. It was seconded and carried with unanimous ayes.

**Ordinance No. 2016-4**

**AN ORDINANCE OF JEROME COUNTY, IDAHO, SETTING FORTH UNDERLYING RECITALS, AMENDING THE JEROME COUNTY PLANNING AND ZONING MAP, INCORPORATING RECITALS, DIRECTING STAFF TO TAKE STEPS NEEDED TO IMPLEMENT THIS ORDINANCE, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVIDING AN EFFECTIVE DATE.**

**RECITALS:**

WHEREAS, Article XII, Section 2, of the Idaho Constitution authorizes counties to adopt “all such local

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police, sanitary and other regulations as are not in conflict with its charter or with the general laws;" and

WHEREAS, Idaho Code Section 31-714 authorizes the Board of County Commissioners to pass all ordinances, rules and regulations necessary for carrying into effect or discharging the powers and duties conferred by the laws of the State of Idaho; and

WHEREAS, Idaho Code Section 31-715 mandates all such ordinances be published in a newspaper circulated in the county before such will become effective; and

WHEREAS, Idaho Code Section 31-715A authorizes the Board of County Commissioners to publish a summary of the ordinance; and

WHEREAS, Idaho Code Section 67-6511 and Chapter 21 of the Jerome County Planning and Zoning Ordinance set forth certain notice and hearing procedures mandated in amending the Ordinance, which have been followed and complied with in making the amendments stated herein; and

WHEREAS, changing demographics of Jerome County necessitate the need of updating the Jerome County Zoning Map; and

WHEREAS, the Jerome County Board of County Commissioners found that the proposed Amendment is in conformity with and supported by the Jerome County Comprehensive Plan.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF JEROME COUNTY, IDAHO, AS FOLLOWS:**

1. The above recitals are hereby incorporated into this ordinance.
2. An amendment to the Jerome County Zoning Map is hereby made, amending the following described parcel from an A-1 Agricultural zone to a IL Light Industrial zone:

Township 8 South, Range 16 East, Boise Meridian, Jerome County Idaho.  
Section 15: That portion of the SW1/4NE1/4 lying between the Southwesterly right-of-way boundary of the Union Pacific Railroad, North Side Branch, and the Northeasterly right-of-way boundary of existing Interstate Highway 80N as described in that certain Warranty Deed dated August 6, 1969, recorded September 26, 1969, in Book 182 of Deeds at page 1442 as Reception No. 182211, records of Jerome County.  
Also known as Parcel 1650 in Section 15, Township 08 South, Range 16 EBM;  
TAX 44 OF SESWNE SEC 15 T8 R16 .89 AC
3. Administrative staff and agents of Jerome County are hereby directed to take such actions as may be necessary to implement the provisions of this ordinance.
4. Any existing provisions of the Jerome County Ordinance, and specifically those that pertain to the Jerome County Zoning Map, that are in conflict with the provisions of this ordinance are hereby declared to be repealed or superseded to the extent of such conflict.
5. The Jerome County Zoning Map, with said amendment, shall be made available for review at the Office of the Jerome County Planning and Zoning Administrator, located at 300 North Lincoln, Room 307, Jerome, Idaho.
6. This ordinance shall be effective upon its approval, passage and publication in a newspaper in circulation in Jerome County.

Approved and adopted as an ordinance of Jerome County by the Board of Jerome County

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Commissioners on the 16<sup>th</sup> day of May 2016.

ATTEST:

/s/ Michelle Emerson

Michelle Emerson, Jerome County Clerk

( S E A L )

/s/ Charles M. Howell

Charles "Charlie" Howell, Chair

/s/ Catherine M. Roemer

Cathy Roemer, Commissioner

/s/ Roger M. Morley

Roger Morley, Commissioner

**Source Water Protection Plan:** Commissioner Roemer reviewed that Adrianna Hummer with the Idaho Rural Water Association (IRWA) had requested the board on both August 17, 2015, and February 22, 2016, to adopt a county water protection ordinance. The Board had determined to discuss the information provided by Hummer with the Planning and Zoning administrator and legal counsel.

Brown said an ordinance is needed that protects the whole aquifer and that he had met with Hummer and Jerry Mason in April to discuss the formulation of a drinking water protection ordinance.

**Tax Deed Property:** Seib took under advisement the fact that renters were living in one of the properties taken by tax deed.

**Conflict Public Defender Contract:** Seib presented a contract with an attorney to cover conflict cases. Discussion was held about the attorney's request to eliminate one paragraph.

❖ A Motion was made by Commissioner Howell to sign the conflict public defender contract with Phil Brown, as corrected. It was seconded and carried with unanimous ayes.

❖ **Sign Daniel's Property Purchase Agreement, Continued from the A.M.:** A Motion was made by Commissioner Howell to sign the real estate sale agreement with Karen Daniel. It was seconded and carried with unanimous ayes.

### **READ AND APPROVE MINUTES**

❖ A Motion was made by Commissioner Morley to approve the minutes of May 2 as written. It was seconded and carried with unanimous ayes.

### **INDIGENT MATTERS**

❖ A Motion was made by Commissioner Morley to follow staff recommendations for indigent matters. It was seconded and carried with unanimous ayes. Denied were Case Nos. 1516-089; 1516-087; and 1516-088; dismissed was Case No. 1516-024. An Order of Suspension was signed for Case No. 1516-038.

Meeting adjourned at 5:02 P.M.

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Respectively submitted:

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Jane White, Deputy Clerk

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Charles M. Howell, Chairman

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Catherine M. Roemer, Commissioner

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Roger M. Morley, Commissioner