

JEROME COUNTY COMMISSIONERS

Tuesday, May 31, 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

All three Commissioners had attended a workshop about domestic violence and driving under the influence programs.

Commissioner Roemer had been present at a budget and levy workshop presented by the Idaho State Tax Commission.

SIGN INTERPATH LABORATORY AGREEMENT

This agreement was not available for signature.

JUDY GOLAY PENALTIES AND INTEREST

Treasurer Tevian Ekren-Kober was present.

Commissioner Roemer explained she had received a phone call from Judy Golay requesting a waiver of her property tax penalty and interest charges. She had advised her to send all three Commissioners an e-mail stating her request, which Golay had done.

Ekren-Kober stated the policy in the treasurer's office was to assess penalty and interest charges if tax payment was not postmarked by the due date. She said the additional fees that had been assessed would now be part of taxes due from Golay. Ekren-Kober reminded the Board of a previous decision it had made not to waive additional charges incurred because of circumstances the same as Golay's.

❖ A Motion was made by Commissioner Howell to deny Judy Golay's request to waive tax penalties and interest. It was seconded, followed by discussion, and carried with unanimous ayes.

BUSINESS AND/OR ADMINISTRATIVE MATTERS

Commissioner Morley informed the Board of package sewer plants that could be located wherever necessary. Commissioner Howell suggested that he pass the information on to the City of Jerome.

The Board signed Retail Alcoholic Beverage Licenses to: Jose Luis Anaya Martinez dba La Costa Colima, Jerome; Stacey Monson dba Honkers, Jerome; Emilio Silva dba El Parralito Salon, Jerome; Bob Watts dba Jerome Bowl, Jerome; Jerry and Connie Ridley dba Ridley's Food Corporation, Jerome; and Carrie Barnes dba Kwik Service Sinclair, Jerome.

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The Board signed a Claims Approval Report dated May 25, 2016, for the District Court II Fund, with a grand total of \$2,230.

Commissioner Howell signed three fireworks permits for Lynn Wilding, Twin Falls, to be used at the Ken Stutzman property next to the Flying J; at 165 Golf Course Road, Jerome; and at 2328 East 990 South, Hazelton.

Commissioner Howell also signed two fireworks permits to Bruce Weaver, Twin Falls, to be used at the Flying J and 5363 U.S. Highway, Jerome.

The Board signed a Claims Approval Report dated May 27, 2016, for the Insurance Deductible Trust Fund, with a grand total of \$198.88.

The Board signed a Payroll Claims Approval by Fund dated May 26, 2016, for the May payroll, with a grand total of \$283,736.73.

The Board signed a Direct Deposit Detail dated May 26, 2016, for the May payroll, with a grand total of \$189,766.73.

The Board signed leave request forms for Brent Culbertson and Arthur Brown.

The Board signed three Time Clock Correction forms for Clint Blackwood for May 24, 25, and 26.

KYLE FISHER—PROBATION REPORT

Probation Administrator Kyle Fisher was present.

Probation Report: Fisher advocated allowing probation officers to retire when they reach the Rule of 80, rather than 90, as do law enforcement officers. He said changing the rule would bring in fresh employees at lower salaries.

Fisher presented wage statistics of probation officers in all of Idaho's counties as well as a draft bill for the Idaho Legislature in 2017. He said the bill would be presented at the upcoming Idaho Association of Counties convention for its approval.

- The Commissioners determined to discuss their sponsorship of the bill on June 6.

Fisher reported he would be sending probation officers to the Northwest Drug Conference.

Courthouse Security: Fisher told the Commissioners there was an expectation that he would be available for security in the Courthouse after the sheriff's offices move.

- The Commissioners tabled further discussion regarding Courthouse security until June 27 but approved Fisher seeking someone to train employees in de-escalation skills.

PUBLIC HEARING—AMEND ZONING ORDINANCE (recorded)

Planning and Zoning Administrator Art Brown and Assistant Administrator Nancy Marshall were present. No one from the public was present.

The deputy clerk swore in those who were to testify.

STAFF REPORT

Brown presented his staff report regarding amending Chapter 5, Charts 5-1 and 5-6, and affected Chapters 2, 6, and 13 of the Zoning Ordinance; his report included Exhibits CC-9, CC-10, and CC-11.

Attorney Mike Seib was present.

Brown explained the proposed ordinance revisions, which included changes to agricultural freight and livestock transfer points, confined animals not regulated by Chapter 13, and living quarters.

The Board had no questions.

BOARD DECISION

❖ A Motion was made by Commissioner Howell to approve the legislative action document with one correction on Page 2. “Living Quarters” under Zone A-2 on Chart 5-6 should be “P” instead of “S”. It was seconded and carried with unanimous ayes.

➤ The Board was to sign the new ordinance on June 6.

SIGN ZONING MAPS

Planning and Zoning Administrator Art Brown and Assistant Administrator Nancy Marshall were present.

Marshall presented the County zoning map, revised to reflect the Board’s decision on April 25 to rezone a .89-acre triangle of land from A-1 (Agriculture) to I-L (Industrial, Light).

❖ A Motion was made by Commissioner Morley to have Commissioner Howell sign the zoning map reflecting the Westec rezone. It was seconded and carried with unanimous ayes.

WATERWAYS DISCUSSION AND LETTER

Clerk/Auditor/Recorder Michelle Emerson was present.

Commissioner Howell presented a draft letter to the North Side Soil and Water Conservation District clarifying that the extra \$10,000 allotted to the District per notification on April 18, 2016, was to be used only for waterways projects at Wilson Lake.

The other Commissioners made no comments or objections to the letter.

❖ A Motion was made by Commissioner Howell to sign a clarification letter dated May 31 to the North Side Soil and Water Conservation District. It was seconded and carried with unanimous ayes.

Emerson said there were remaining funds in the Waterways cash balance.

The Commissioners determined to allot more funds for the waterways project at Wilson Lake.

❖ A Motion was made by Commissioner Howell to transfer the remaining funds of \$10,000 from Waterways to the North Side Soil and Water Conservation District for its administration on the Wilson Lake project. It was seconded and carried with unanimous ayes, with Commissioner Roemer recusing herself.

DAN KENNEDY—CONFERENCE REPORT

Sheriff Doug McFall was present. Deputy Sheriff Dan Kennedy was not present because he had been called to investigate a burglary.

Sheriff McFall presented a bid for \$5,860 from A Greener Season Landscaping for landscaping at the new jail building.

Discussion was held about the grounds at the new jail building, but no conclusion was reached.

Sheriff McFall reported that sheriffs' training he had attended had been one of the better meetings he had experienced. He said he was amazed to learn how brutal and realistic video games had become.

Vehicle Purchases: Sheriff McFall reported he had purchased two new Dodge Chargers as allowed in his FY 2015-16 Budget. He said his budget would also allow for an additional Charger with the trade-in of three vehicles.

Commissioners Howell and Morley did not object to the purchase of a third patrol car.

➤ Commissioner Roemer requested that the sheriff submit more information about purchasing the car, and the matter was continued to the June 6 agenda.

Meeting recessed at 12:01 P.M.

Meeting reconvened at 1:15 P.M.

GARTH BAKER—AIRPORTS UPDATE

Airports Manager Garth Baker was present.

Baker reported all the equipment at the Jerome Airport was in working condition and that Albert Lockwood had volunteered to spray weeds at the Airport. He said he had finalized plans for the annual Fly-In, scheduled for July 16. He added that the Jerome Airport would be listed as an overflow for low-level jets flying in for Allen Week at Sun Valley.

Baker informed the Board his maintenance employee would be training with the National Guard June 3-20.

Commissioner Roemer questioned whether the Airports manager should be the one who takes minutes for the Airport Advisory Board and asked Baker to e-mail the Commissioners a copy of his minutes. The Board was to consult its legal counsel about advisory board minutes.

➤ Commissioner Roemer requested that Baker obtain bids for demolition of the current terminal at the Jerome Airport. Commissioner Howell asked Baker to check with the County building inspector about remodeling the house at the Airport and to report the status of airport grants.

BLM AMENDED APPLICATION FROM GEORGE PANAGIOTOU, Continued

Ryan Lay, Idaho Department of Lands, was present.

The Board re-opened its May 23 discussion of an amended right-of-way application from George Panagiotou.

Commissioner Howell stated he needed more information and that the Board had until June 15 to comment to the Bureau of Land Management.

Commissioner Morley feared a right-of-way would lead to commercialism of the Snake River Canyons Park, but Commissioner Roemer favored supporting the private property owner.

➤ It was determined the Board would address the application again on June 6 and invite Panagiotou and a BLM representative to participate in its discussion.

BLM APPLICATIONS

James Grant: All three Commissioners were in favor of an application from James Grant for a right-of-way from the Bureau of Land Management (BLM) to allow him to operate, maintain, and terminate a stock water pipeline beginning and ending on private property.

Project Mutual Telephone: The Board agreed to an application from Project Mutual Telephone (PMT) for a right-of-way from the Bureau of Land Management for the construction, operation, maintenance, and termination of a buried fiber optic line. It would be adjacent to a roadway maintained by the Jerome Highway District and end at an existing Syringa Network vault near the Notch Butte Road off US Highway 93.

❖ A Motion was made by Commissioner Morley to approve right-of way applications for James Grant and Project Mutual Telephone. It was seconded, followed by discussion, and carried with unanimous ayes.

➤ It was determined the Commissioners would send a letter to the BLM apprising it that they had no objections to either of the above-referenced applications.

ISBELIA BURNHAM—PENALTIES AND INTEREST

This matter was continued until June 6.

ART BROWN—SIGN RESOLUTION AND REQUEST FOR A SUITABILITY STUDY

Planning and Zoning Administrator Art Brown and Administrative Assistant Stephanie Aslett were present.

Brown presented a County resolution and a letter to the Idaho State Department of Agriculture regarding a request for a suitability determination for an expansion of the Blaine Miller #2 Dairy Livestock Confinement Operation.

❖ A Motion was made by Commissioner Roemer to adopt Resolution 2016-8. It was seconded and carried with unanimous ayes.

Resolution 2015-8

REQUEST FOR A SUITABILITY DETERMINATION

WHEREAS, Idaho Code Section 67-6529(E) provides for the Board of County Commissioners to submit a request to the Department of Agriculture for a suitability determination by a site advisory team for the following proposed CAFO; and,

WHEREAS, Jerome County is submitting a request for Blaine Miller #2 for a Dairy Livestock Confinement Operation to expand its animal units from 2800 to 3835, with a future structure expansion of one future close-up pen and two future calf and heifer pens. Location of the livestock facility is more commonly known as approximately 2068 E 400 S, Hazelton, Idaho 83335.

THEREFORE, be it resolved that the Board of County Commissioners requests the Department of Agriculture to have a site advisory team do a suitability determination on the above-proposed facility.

DATED THIS 31ST DAY OF MAY 2016.

ATTEST:

/s/ Charles M. Howell
CHARLES HOWELL, CHAIRMAN

/s/ Michelle Emerson
MICHELLE EMERSON, CLERK

/s/ Catherine M. Roemer
CATHY ROEMER, VICE CHAIRMAN

(S E A L)

/s/ Roger M. Morley
ROGER MORLEY, COMMISSIONER

❖ A Motion was made by Commissioner Roemer to authorize the chairman to sign the letter to the Idaho Department of Agriculture requesting a suitability study for the expansion of the Blaine Miller Livestock Confinement Operation. It was seconded and carried with unanimous ayes.

JUDGE BEVAN AND SHELLI TUBBS—COURTS REPORT

Present were Judge Bevan, Trial Court Administrator Shelli Tubbs, Probation Administrator Kyle Fisher, and Clerk/Auditor/Recorder Michelle Emerson.

New Courts and Pass-through Employee: Tubbs presented a draft Memorandum of Understanding between the County and the Idaho Supreme Court. She explained that the Idaho Legislature had provided for the establishment of Domestic Violence (DV) and Driving Under the Influence (DUI) Courts in Jerome County as well as the financing of an employee to administer the daily operations, quality assurance, and coordination of problem-solving courts. Jerome County would be reimbursed for employing the problem-solving court coordinator (PSC coordinator), who would be supervised by the Fifth Judicial District.

Commissioner Morley questioned the continuation of State funding, and Tubbs said the funding was stable, barring any emergencies with the State.

➤ The Board was in favor of establishing the courts and hiring the employee and determined to ask its legal counsel to review the Memorandum.

MIKE SEIB—LEGAL COUNSEL

Attorney Mike Seib was present.

Employee & Supervisor Manual Changes: Seib presented proposed amendments to the Employee & Supervisor Manual reflecting the Board's direction on May 23 about mileage paid to employees for County business.

➤ The Board approved the additions to the Manual, and Seib said he would present a resolution to amend it accordingly on June 6.

State Statute regarding Airport Minutes: Seib advised regarding minutes from the Airport Advisory Board meetings.

Parker Letter: Seib presented a draft letter to George Parker regarding his claim of overcharges for fuel at the Jerome Airport. Commissioner Howell made a suggestion, and the Board approved sending the letter to Parker.

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. 1516-092; 1516-091; 1516-090; and 1516-106; dismissed were Case Nos. 1516-033 and 1516-047.

Meeting adjourned at 4:06 P.M.

Respectively submitted:

Jane White, Deputy Clerk

Charles M. Howell, Chairman

Catherine M. Roemer, Commissioner

Roger M. Morley, Commissioner