

JEROME COUNTY COMMISSIONERS

Monday, March 16, 2020

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

Meeting convened at 9 A.M.

COMMISSIONER REPORTS

Commissioner Crozier reported from his County meetings the previous week as follows.

- The Fair Board discussed outstanding stall payments and held two executive sessions regarding personnel.
- Commissioner Crozier said the Harold Jenkins family had donated \$1,000 to the Historical Society to be used on the Canyonside Building at the I-Farm.
- Hillsdale Highway District board directors had discussed highway projects and equipment purchases.
Other meetings attended were:
 - The South Central Behavioral Health Board,
 - The Hazelton Cemetery District Board, and
 - The Community Schools Strategic Partnership.
Commissioners Crozier and Howell had attended
 - The Pilots Forum hosted by Precision Aviation at the Jerome Airport and
 - A meeting with Bureau of Land Management representatives regarding safe places to shoot.

Commissioner Crouch stated the meetings he would have attended had been cancelled and that he had received citizen complaints about the cancellation of the Jerome Chamber of Commerce banquet.

Commissioner Howell reported a concern expressed by the auditor of SIRCOMM (Southern Idaho Communications) had been resolved. He added that the number of dispatchers had increased and that directors were rewriting their bylaws.

Commissioner Howell said directors of the Snake River Canyons Park Managing Board had erased graffiti in the Park and that plans were progressing for a bike path.

GOLD STAR MEMORIAL DECISION

The Commissioners considered whether to authorize a County donation for Idaho's only Gold Star Memorial to be located in Pocatello and determined to delay making a decision.

SIGN EMPLOYEE TIME RECORDS

The Board signed Time Records for Cody Cantrell, Brent Culbertson, Deserae Jones, and Mario Umana.

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BUSINESS AND/OR ADMINISTRATIVE MATTERS

The Board signed leave requests for Deserae Jones (2) and Mario Umana.

The Board signed an Employee Wage Change form for Deputy Sheriff Matthew Spencer as a salary increase for advancing to an additional certificate level.

The Board signed a Claims Approval Report dated March 10, 2020, for the Insurance Deductible Trust Fund, with a grand total of \$2,476.89.

BRENT CULBERTSON—MAINTENANCE MATTERS

Maintenance Supervisor Brent Culbertson was present.

Culbertson said the County prosecutor had requested a locked area for exhibits, as mandated by the Idaho Supreme Court. He explained retaining files digitally necessitates establishing an area for case exhibits.

❖ A Motion was made by Commissioner Crouch to build an evidence locker at the Judicial Annex Building. It was seconded and carried with unanimous ayes.

Department of Motor Vehicles Remodel: Brent Culbertson followed up on a request from the assessor's office on February 10 to install Plexiglas over the counter in the Department of Motor Vehicles (DMV). He suggested using safety glass, saying it would be less expensive, would not scratch, and would have more longevity. He presented a design that would cost \$1,024.

❖ A Motion was made by Commissioner Howell to proceed with the DMV safety glass installation. It was seconded and carried with unanimous ayes.

Time Capsule Cover and Mounting: Commissioner Crouch explained that the Board desired a cover for a time capsule to be mounted in the Commissioners' boardroom, and Culbertson took measurements to create one.

Plaque for Former Commissioners: The Commissioners told Culbertson they would like him to order a wood plaque for the Courthouse with nameplates hanging from it listing all County commissioners since the County's inception in 1919.

Reader Board at the Sheriff's Office: Culbertson said the sheriff's office still had not located a reader board announcing the availability of driver's licenses.

➤ The Board requested that Culbertson add "drivers licenses" to the sign at the sheriff's office.

MIKE TYLKA—SNAKE RIVER CANYONS PARK UPDATE

Present were Mike Tylka, Don Zuck, Greg Moore, Bill Bridges, and Kellee Traugher, all representing the Snake River Canyons Park.

As chairman of the Park Managing Board, Mike Tylka presented for approval bylaws the Park Board had revised regarding board attendance. According to the revision, the Managing Board

could vote to declare a board member's seat vacant after a third absence in a twelve-month period.

❖ A Motion was made by Commissioner Crouch to approve the Managing Board bylaws for the Snake River Canyons Park with the noted change in attendance policy. It was seconded and carried with unanimous ayes.

Tylka stated that Southern Idaho Tourism had reported 67 percent more people are visiting the Magic Valley area.

Greg Moore informed the Board that the annual cleanup of the Park by volunteers would be May 16.

BRENT TOLMAN—URBAN RENEWAL AGENCY MATTERS

Present were Ryan Armbruster and Brent Tolman, both representing the County Urban Renewal Agency.

Ryan Armbruster, as attorney for the County Urban Renewal Agency (URA), explained to the Commissioners that the Urban Renewal Board of Directors would like to de-annex a property in the County's Urban Renewal Area and annex additional property. He said the area to remove had not been developed and asked that the Commissioners sign a resolution directing the URA to commence preparation of an Urban Renewal Plan to annex the new area.

Brent Tolman, who provides administrative services for the URA, reported he had visited the proposed new site and that the deteriorating conditions had not changed since an original study in 2008, and he added that the site in its current condition is also a fire hazard.

❖ A Motion was made by Commissioner Crozier for the Board to sign Resolution 2020-18 determining a certain area in the County as deteriorated or deteriorating as identified in the resolution. It was seconded, with Commissioners Crozier and Howell voting aye and Commissioner Crouch recusing himself.

RESOLUTION 2020-18

A RESOLUTION BY THE JEROME COUNTY COMMISSIONERS DETERMINING A CERTAIN AREA WITHIN THE COUNTY TO BE A DETERIORATED OR DETERIORATING AREA AS DEFINED BY IDAHO CODE SECTION 50-2018(9) AND IDAHO CODE SECTION 50-2903(8); AND DIRECTING THE URBAN RENEWAL AGENCY OF JEROME COUNTY TO COMMENCE PREPARATION OF AN URBAN RENEWAL PLAN.

WHEREAS, the Chairman and Commissioners of the Board of County Commissioners of Jerome County, Idaho, respectively, on or about October 21, 2008, adopted and approved a resolution creating the Jerome County Urban Renewal Agency (the "Agency"), authorizing it to transact business and exercise the powers granted by the Idaho Urban Renewal Law of 1965, as amended, Chapter 20, Title 50, Idaho Code as amended (hereinafter the "Law"), and the Local Economic Development Act, Chapter 29, Title 50, as amended (hereinafter the "Act") upon making the findings of necessity required for creating said Urban Renewal Agency;

WHEREAS, the County Commissioners of the County of Jerome, Idaho (hereinafter the "County"), after notice duly published, conducted a public hearing on the Jerome County Crossroads Urban Renewal Project

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pursuant to the Jerome County Crossroads Urban Renewal Project Urban Renewal Plan (the “Crossroads Urban Renewal Plan”) to redevelop a portion of the County, pursuant to the Law and the Act;

WHEREAS, following said public hearing, the County adopted its Ordinance No. 2008-10 on December 17, 2008, approving the Crossroads Urban Renewal Plan and making certain findings;

WHEREAS, the County on December 6, 2010, after notice duly published, conducted a public hearing on the Amended and Restated Jerome County Crossroads Urban Renewal Project Urban Renewal Plan (the “Amended Plan”);

WHEREAS, following said public hearing, the County adopted its Ordinance 2010-12 on December 6, 2010, approving the Amended Plan and making certain findings;

WHEREAS, based on inquiries and information presented by certain interested parties and property owners, Agency commenced certain discussions concerning examination of an area as appropriate for an urban renewal project consisting of an area which may be subject to de-annexation;

WHEREAS, the Agency has obtained the Crossroads Point Phase 2 Urban Renewal Eligibility Report (the “Report”), which examined an area in Jerome County known as the Crossroads Point Phase 2 Project Area (the “Crossroads Point Phase 2 Area”) for the purpose of determining whether such areas are deteriorating areas or deteriorated areas as defined by Idaho Code, Sections 50-2018(9) and 50-2903(8), essentially updating the current condition from what was determined in the eligibility reports that provided the basis for the Crossroads Urban Renewal Plan and the Amended Plan;

WHEREAS, the Crossroads Point Phase 2 Area is currently located within the boundaries of the Amended Plan Area, which area may be subject to de-annexation;

WHEREAS, the Agency, on March 5, 2020, adopted its resolution accepting the Report and authorizing the Chairman of the Agency or his designee to transmit the Report to the County Commissioners requesting its consideration for designation of an urban renewal area and requesting the County Commissioners to direct the Agency to prepare an urban renewal plan for the Crossroads Point Phase 2 Project Area, which plan may include a revenue allocation provision as allowed by law;

WHEREAS, pursuant to Idaho Code Section 50-2008, an urban renewal project may not be planned or initiated unless the local governing body has, by resolution, determined such area to be a deteriorated area or deteriorating area, or combination thereof, and designated such area as appropriate for an urban renewal project;

WHEREAS, Idaho Code Section 50-2904 also requires that in order to adopt an urban renewal plan containing a revenue allocation financing provision, the local governing body must make a finding or determination that the area included in such plan is a deteriorated area or deteriorating area;

WHEREAS, it is desirable and in the best public interest that the Agency prepare an urban renewal plan for the area identified as the Crossroads Point Phase 2 Project Area located in the County of Jerome, State of Idaho.

NOW, THEREFORE, BE IT RESOLVED BY THE CHAIRMAN AND COMMISSIONERS OF THE JEROME COUNTY COMMISSIONERS AS FOLLOWS:

1. The County Commissioners of Jerome County find and declare:
 - a) That the Crossroads Point Phase 2 Project Area is a deteriorated or deteriorating area existing in Jerome County as defined by Chapters 20 and 29, Title 50, Idaho Code, as amended, currently located within the boundaries of the Amended Plan, which area may be subject to de-annexation, as depicted on the map attached hereto, and for the reasons set forth in this Resolution.
 - b) That such area is designated as being appropriate for an urban renewal project.

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2. That the Agency commence preparation of an urban renewal plan for consideration by the Agency Board, which plan may include a revenue allocation provision, and, if acceptable, final consideration by the County Commissioners in compliance with Chapters 20 and 29, Title 50, Idaho Code, as amended.
3. This Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED AND APPROVED this 16th day of March 2020.

ATTEST:

/s/ Michelle Emerson
Jerome County Clerk

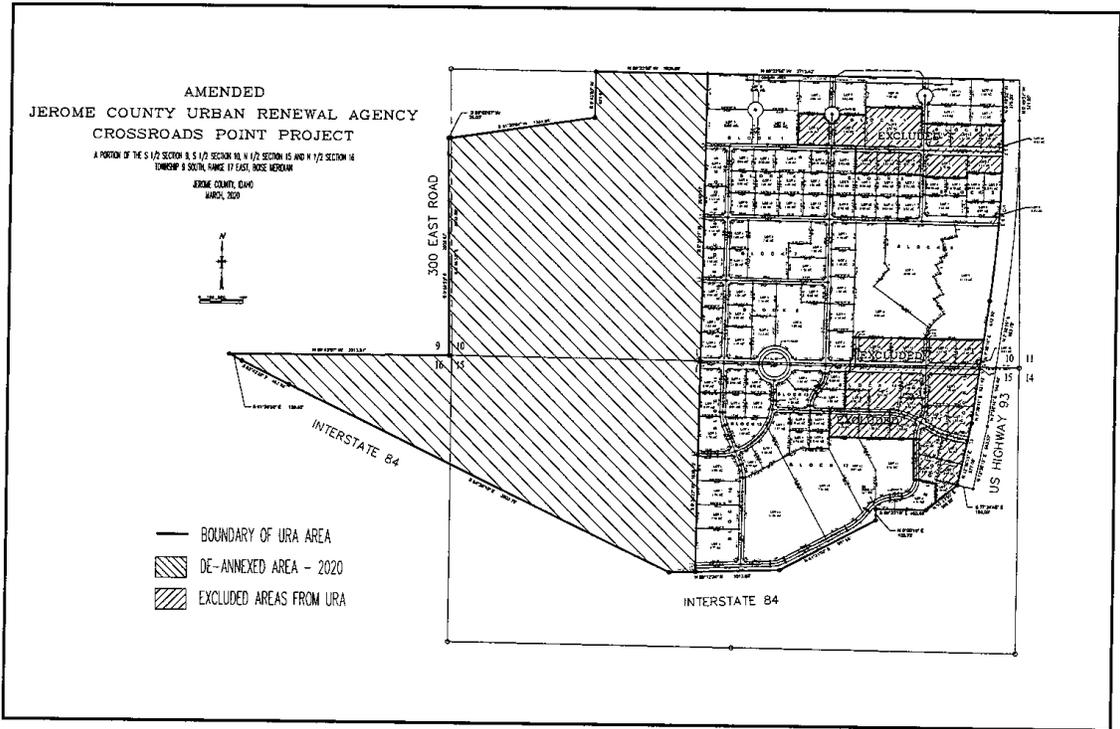
(S E A L)

BOARD OF COUNTY COMMISSIONERS
JEROME COUNTY, IDAHO

/s/ Charles M. Howell
Charles Howell, Chair

/s/ A. Ben Crouch, Vice Chair
A. Ben Crouch, Vice-Chair

/s/ John Crozier
John Crozier, Commissioner



Urban Renewal Appointment: Armbruster informed the Board that TJ McArthur had resigned from the Urban Renewal Board and that directors had recommended appointment of Carl Montgomery to fulfill his term.

The Commissioners reviewed a written profile that had been submitted by Montgomery.

❖ A Motion was made by Commissioner Crozier to appoint Carl Montgomery to the County Urban Renewal Board to fulfill TJ McArthur's remaining term. It was seconded and carried with unanimous ayes.

MIKE SEIB—LEGAL COUNSEL

The Commissioners met with Attorney Mike Seib at his office in the Judicial Annex Building.

Resolution to Destroy Certain Records: Mike Seib had presented a resolution to destroy certain records from his office.

❖ A Motion was made by Commissioner Howell to sign Resolution 2020-17. It was seconded and carried with unanimous ayes.

RESOLUTION NO. 2020-17

WHEREAS, the Jerome County Commissioners have received requests from the Jerome County Prosecutor's Office to destroy certain records as set out in Exhibit "A," pursuant to Idaho Code Section §31-871; and,

WHEREAS, this request lists the documents to be destroyed, which area attached to this resolution as Exhibit "A" and are to be considered as if fully set forth in this resolution; and,

WHEREAS, according to MICHAEL J. SEIB, Jerome County Prosecutor, the documents are 1992-2009 Felony Digital cases, 2006-2009 Juvenile Digital cases, 2002-2014 Misdemeanor Files (paper), 2004-2014 Misdemeanor Digital cases, and 2008-2014 Infraction Digital cases that are completed, and no reason exists to continue housing these files, and these files need to be destroyed to allow for more storage space, and furthermore, some record of these matters will remain because the clerk's office must retain certain parts of its files on these matters pursuant to I.C.A.R. 37; and,

WHEREAS, proper administration of Jerome County government requires that old records and documents be periodically cleaned out and destroyed; and,

WHEREAS, Idaho Code Section §31-871 does allow for classification, retention, and destruction of County Records and documents; and,

WHEREAS, the records listed in this request according to I.C. §31-871(b) are classified as permanent (1992-2009 Felony and Juvenile cases) and semi-permanent (2002-2014 Misdemeanor and Infraction cases) records as determined by the Board of Jerome County Commissioners upon the advice of the Jerome County Prosecutor and have been completed at least ten (10) and five (5) years ago, respectively, and therefore need no longer be retained and may be destroyed.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Commissioners for Jerome County, Idaho, that the following is hereby approved and adopted.

The records listed in this request have been maintained for the requested amount of time, are no longer needed, and therefore shall be destroyed.

DATED this 16th day of March 2020.

ATTEST:

JEROME COUNTY COMMISSIONERS

/s/ Michelle Emerson
MICHELLE EMERSON, CLERK

/s/ Charles M. Howell
CHARLIE HOWELL, CHAIRMAN

(S E A L)

/s/ A. Ben Crouch
A. BEN CROUCH, COMMISSIONER

/s/ John Crozier
JOHN CROZIER, COMMISSIONER

Note: Exhibit "A" lists by name and case number all files to be destroyed and is attached to the paper copy of the resolution available in the clerk's office.

The Commissioners recognized employees present in the prosecutor's office who had worked for the County for five or more years by presenting longevity awards to: Mike Seib, 17 years; Rosie Arteaga, 5; and Sandra Scott, 13.

❖ A Motion was made by Commissioner Crozier to give the Board's consent for the maintenance supervisor to paint the walls in the prosecutor's meeting room. It was seconded and carried with unanimous ayes.

Meeting recessed at 11:35 A.M.

Meeting reconvened at 1:15 P.M.

MORRIS GREENWELL—PLANNING AND ZONING VARIANCE

Planning and Zoning Administrator Nancy Marshall was present. Also present was Morris Greenwell with a zoning question.

Morris Greenwell said he would like to divide two acres from his six-acre parcel to build a house for his son.

Nancy Marshall advised that Greenwell was allowed one land division in 2005, which was the only division permitted per the Jerome County Zoning Ordinance. In answer to Greenwell's question, Marshall said only one house was allowed on his six-acre parcel as well as the adjoining 99 acres he sold to his neighbor.

Greenwell asked about the possibility of building on a land parcel on the other side of his street. Marshall replied that he would need to add that question to his request to the Zoning Office.

Commissioner Howell verified with Marshall that the 99-acre parcel was unbuildable, according to the permit received in 1973. He said it was an unfortunate circumstance due to the land located in an agricultural area. Marshall said the Zoning Ordinance was changed in 2005, reflecting that it was no longer possible for Greenwell to apply for a Special Use Permit.

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TIM LARSON—AIRPORTS REPORT

Airports Manager Tim Larson was present.

➤ The Board asked that Tim Larson schedule airport consultant Kent Atkin to advise the Board about paving at the Hazelton Airport and new fencing at the Jerome Airport.

Tim Larson reported hand excavation would be required to clean up a fuel spill at the Jerome Airport. He said the Department of Environmental Quality had granted a 60-day extension, until June 19, for completion of the cleanup.

Larson told the Commissioners personal safety items needed at the Jerome Airport. He said he had notified the Emergency Management director that the generator at the Airport was now working and that she had added it to the County generator service rotation.

As a follow-up from a suggestion from the Commissioners on February 24, Larson said Vanden Bosh Welding would be submitting a bid to cover the fuel island at the Jerome Airport.

Larson said unused tanks at the Jerome Airport belong to the County but that he did not know what they contained.

➤ Commissioner Crouch requested that Larson ask the Idaho Transportation Department to cut weeds near the corner of the Jerome Airport again this year.

DEPARTMENT HEADS MEETING

Department heads present were **Cody Cantrell**, veterans service officer; **Deserae Jones**, misdemeanor probation administrator; **Marisela Ibarra**, jail administrator; **George Oppedyk**, sheriff; **Gary Taylor**, chief deputy sheriff; **Steve Hines**, extension educator; **Jamie Rupert**, fair manager; **Tim Larson**, airports manager; **Cy Lootens**, deputy clerk/elections specialist; **Kim Drury**, deputy clerk/social services director; **Rick Haberman**, assessor; **Gerald Brant**, coroner; **Nancy Marshall**, planning and zoning administrator; **Mike Seib**, prosecutor; **Angie Bridge**, deputy clerk; **Michelle Emerson**, clerk/auditor/recorder; **Tracee McKim**, chief deputy clerk; **Mario Umana**, juvenile probation administrator; **Charry Cushman**, deputy clerk/payroll; and **Tanya Stitt**, emergency management director. Also present were Mike Williams, Jerome city administrator; and **Gary Warr** and **Mike McDonald**, representing the Recreation District.

Tanya Stitt facilitated a meeting regarding the County's response to the coronavirus outbreak. She said congregations of people were to be limited to 50 and that the County needed to decide on which of its services would be essential.

Nancy Marshall stated her office could work exclusively online but that it did need to do research in other County departments.

The question was raised whether employees would be paid without using their time off benefits if they were sent home because of a coronavirus concern. The Commissioners were to determine whether they would have leave with pay or whether they would need to use their time off benefits.

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Stitt cautioned that employees limit their interaction with the public.

Gary Warr said the Jerome Recreation Center would be closed while the Jerome schools are closed and that the Easter Egg Hunt would be cancelled.

Rick Haberman expressed concern that the deadline for applying for homeowner and circuit breaker exemptions is April 15.

Department heads were encouraged to determine which employees could work from home.

Stitt said she would be receiving updates on the spread of the virus from the Health District.

➤ The Commissioners determined to continue consideration of County emergency management procedures in response to the coronavirus to later in the afternoon and again on March 17.

CY LOOTENS—CANVASS MARCH 10 ELECTION

Cy Lootens, Deputy Clerk/Elections Specialist was present.

Cy Lootens presented the results of the Jerome County election held on March 10, 2020, for the presidential primary and supplemental levies for the Shoshone and Valley joint school districts.

Following are the totals: **Democrat Primary**, Joseph Biden, 239; Bernie Sanders, 187; Michael Bloomberg, 17; Elizabeth Warren, 9; Tulsi Gabbard, 6; Amy Klobuchar, 4; Pete Buttigieg, 4; Michael Bennet, 2; John Delaney, 2; Tom Steyer, 2; Julian Castro, 2; Cory Booker, 1; Steve Burke, 0; Roque De La Fuente, 0; Deval Patrick, 0; Marianne Williamson, 0, and Andrew Yang, 0.

Republican Primary, Donald Trump, 1,046; Joe Walsh, 33; Bill Weld, 25; Matthew John Matern, 9; Roque “Rocky” De La Fuente, 7; Don Blankenship, 4; Sheila “Samm” Tittle, 3; Bob Ely, 2; Don Grundmann, 2; Daniel Clyde Cummings, 1; Charles Kraut, 1; and J.R. Myers, 0.

Nineteen percent of registered voters voted in the presidential primary election.

Lootens said there were only two Jerome County registered voters in the Shoshone school district, and they did not vote in the supplemental levy election. In the Valley school district supplemental levy election, 238 voted in favor and 85 against the levy.

❖ A Motion was made by Commissioner Howell to approve the canvass certification of election. It was seconded and carried with unanimous ayes.

PEST ABATEMENT DISTRICT DISCUSSION

Discussion of this matter was postponed.

CONTINUATION FROM EARLIER DEPARTMENT HEADS MEETING

Present were Chief Deputy Clerk Tracee McKim, Deputy Clerk/Payroll Charry Cushman, Jail Administrator Marisela Ibarra, Chief Deputy Sheriff Gary Taylor, Sheriff George Oppedyk, and Emergency Management Director Tanya Stitt.

The Commissioners determined to make decisions based on direction from Governor Brad Little. They were to encourage prudence and minimizing exposure to the coronavirus as well as to ask department heads to seek solutions for their departments to help limit the spread of the virus.

➤ The Commissioners further determined to allow the veterans service officer to work from home with pay until further notice and to post his phone number on his office door.

Sheriff Oppedyk expressed that he was limiting the intake of out-of-county inmates.

The Commissioners determined that employees would be paid if they were sent home because of a temporary reduction in staff. They decided employees would use their time off benefits if sick or quarantined, with further considerations to be made on case-by-case bases.

READ AND APPROVE MINUTES

Approval of minutes was tabled until March 18.

INDIGENT MATTERS

Approval of minutes was tabled until March 18.

PUBLIC HEARING

This public hearing was cancelled until further notice in consideration of safety measures to limit the spread of the coronavirus.

Meeting recessed at 5 P.M. until March 17.

Respectively submitted:

Charles M. Howell, Chairman

Jane White, Deputy Clerk

A. Ben Crouch, Vice Chairman

John Crozier, Commissioner