

JEROME COUNTY COMMISSIONERS

Monday, March 19, 2018

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

Meeting convened at 9:02 A.M.

Commissioner Howell was not present because of a business emergency.

COMMISSIONER COMMITTEE REPORTS

Commissioner Roemer reported from a Jerome Chamber of Commerce Awards Banquet that there are many talented and qualified community-minded people in the County. She had also attended a South Central Community Action Partnership board meeting in which directors had discussed housing loans.

Commissioner Morley told the Board that directors from the Snake River Canyons Park Board had heard from Bureau of Land Management representatives about the agency's progress with the Idaho Department of Lands in gaining a legal access to the Park. He had also attended the Awards Banquet.

SIGN MID-SNAKE RESOLUTION

On March 5, the Board determined to ask legal counsel whether to adopt an ordinance or a resolution to agree with amendments to the Coordinated Water Resource Management Plan of the Middle Snake Regional Water Resource Commission. On March 12, Prosecutor Mike Seib advised that the Commissioners needed to adopt a resolution to accept the proposed amendments.

- The Board determined to consult its legal counsel about the resolution before signing it.

AGENDA TIME FRAMES

Discussion of this matter was continued until Commissioner Howell could be present.

BUSINESS AND/OR ADMINISTRATIVE MATTERS

The Board signed two Time Clock Correction Forms for Cody Cantrell.

The Board signed a leave request for Deserae Jones.

APPROVE ATTENDANCE RECORDS

The Board signed attendance records for Garth Baker, Art Brown, Cody Cantrell, Brent Culbertson, Deserae Jones, and Mario Umana for the March 4-March 17 payroll period.

MICHELLE EMERSON—CANVASS MARCH 13 ELECTION

Canvass March 13 Election: Elections Deputy Clerk Cy Lootens presented the results of the March 13 school elections in the absence of Clerk/Auditor/Recorder Michelle Emerson.

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A school plant facilities reserve levy for \$650,000 for five years and then for \$700,000 for five more years, through June 30, 2028, was passed for Jerome School District #261. The levy passed with 436 in favor and 130 against, which was a 77 percent approval when only 60 percent was required.

Valley School District #262 voters passed a \$300,000 supplemental levy for two years for a total of \$600,000. The levy passed with 171 in favor and 53 against or a 76 percent approval.

No one living in Jerome County and in Joint Jerome School District #312 (Lincoln and Jerome Counties) voted in an election for a \$300,000 supplemental levy for two years and for school bonds not to exceed \$6,000,000. (Neither the levy nor the bond were passed by voters in Lincoln County.)

❖ A Motion was made by Commissioner Roemer to approve the certification of elections for Joint Jerome School District #261, Shoshone Joint School District #312, and Valley School District #262 held on March 13, 2018. It was seconded and carried with unanimous ayes.

The Commissioners signed a Certification of Elections.

Approve Scanning: Chief Deputy Clerk Tracee McKim was present. McKim sought approval for the clerk's office to scan court records.

❖ A Motion was made by Commissioner Morley to approve the scanning of clerk documents as presented by Tracee McKim for not more than \$17,000. It was seconded and carried with unanimous ayes.

TANYA STITT—EMERGENCY MANAGEMENT REPORT

Emergency Management Coordinator Tanya Stitt was present. Also present was Charles Wiegard.

Stitt presented a written monthly report of activities in her office and said a repeater for inter-department communication should be functional again that week. She reported from the Local Emergency Planning Committee meeting and told of upcoming exercises and trainings.

DISCUSS HUMAN RESOURCES POSITION

Commissioner Roemer suggested hearing a proposal from a party that would like to contract with the County for human resources services. Commissioner Morley said contracting for such services is a current trend.

Deputy Clerk Lorrann Morrell was present to ask the Commissioners if they wanted her to post the human resources position opening.

- It was determined not to advertise pending a contract proposal.

STEPHANIE ASLETT—AIR ST. LUKE’S MEMBERSHIP PROPOSAL

Employee Stephanie Aslett and Deputy Clerk Lorrann Morrell were present. Also present was Charles Wiegard.

Aslett reported a poll of County employees had found approximately 50 who would be interested in paying a \$45 annual membership fee for use of an air ambulance. She said only five employees would be required for the County to take advantage of a business membership with St. Luke’s.

➤ It was determined the Board would consult its legal counsel about a business membership agreement and application with St. Luke’s.

BRIANNE McCOY—STANDARDS FOR THE IDAHO STATE PUBLIC DEFENSE COMMISSION

Chief Deputy Clerk Tracee McKim was present. Also present was Brianne McCoy, Idaho State Public Defense Commission, and Charles Wiegard.

McCoy said she meets with county commissioners quarterly to discuss standards required by the Idaho State Public Defense Commission (PDC). She told the Board of four standards required to be met by the County as of March 31 and said she would be meeting with attorneys and County staff to ascertain if the County were in compliance. She added that the PDC provides free training for attorneys to fulfill seven continuing education units every three years, suggesting that the County add the education requirement to contracts for the public defenders.

McCoy said grants are awarded each year to counties in compliance with PDC requirements but that willful non-compliance would mean that a county would not receive grant money from the State.

➤ Commissioner Roemer said she would add the PDC grant application to the Commissioner’s agenda for the next week.

McCoy discussed workload standards and investigators with the Board and said that employing investigators is an acceptable use of grant funds.

Meeting recessed at 12:08 P.M.

Meeting reconvened at 1:15 P.M. with all Commissioners present.

LINDA FLEMING—HOMEOWNER EXEMPTION FOR JOSE MENDOZA

Treasurer Tevian Ekren-Kober and Airports Manager Garth Baker were present. Also present were Linda Fleming, Habitat for Humanity, and Charles Wiegard.

Fleming represented Jose Mendoza and Sonia Moore in requesting a waiver of taxes to compensate for a homeowner exemption for which the new owners had not applied. She explained that applying for a homeowner exemption had been overlooked when the property deed had been changed into the siblings’ names after their mother’s death.

Ekren-Kober stated the owners had paid the first half of 2017 taxes and had applied for a homeowner exemption for 2018.

❖ A Motion was made by Commissioner Howell to waive the second half of taxes for Jose Mendoza in the amount of \$1,169.35. It was seconded and carried with unanimous ayes.

BUSINESS AND/OR ADMINISTRATIVE MATTERS, Continued

Commissioner Howell reported he had signed the sales agreement and submitted a check to purchase the former Karen Daniel property for the Fairgrounds. He added that a second check had been necessary because the first one did not include payment of all the closing costs. The Commissioner said he had found out the property has 1.7 shares of water.

➤ The Board determined to ask the seller of the property if he would like to sell the water shares.

Commissioner Howell said Dean Moyle was interested in buying a portion of the Fairgrounds property just purchased by the County, but the Board determined to honor the Fair Board's recommendation not to sell the portion of land.

GARTH BAKER—GRANT DISCUSSION WITH KEVIN BISSELL

Airports Manager Garth Baker was present. Also present was Kevin Bissell, project manager for T-O Engineers.

Grant Discussion with Kevin Bissell: Bissell presented for signature an application to the Federal Aviation Administration (FAA) to assist the Jerome Airport. He explained that the FY 2018 project would be to rehabilitate Runway 9-27 and the General Aviation Apron. He said the federal government would pay \$178,000; the County, \$12,855; and the State, \$6,922.

Commissioner Howell questioned whether the project was part of the Master Plan for the Airport, and Baker replied that it was and that resealing the runway was a definite need.

❖ A Motion was made by Commissioner Morley to authorize the chairman to sign the FAA grant application from T-O Engineers for a sealcoat and crack seal project at the Jerome Airport. It was seconded and carried with unanimous ayes.

Bissell said the FAA requires that the County entertain a consultant selection process for an airport engineer and that T-O would be submitting a proposal.

Airports Report: Baker stated that Precision Aviation was making progress in bringing its operation to the Jerome Airport and that World Fuel would send an addendum to its contract with the County in anticipation of additional sales through Precision Aviation. Commissioner Roemer questioned when Baker would move the terminal to its new location, and he said the relocation was dependent on when the FAA could move its equipment.

INDIGENT APPEAL HEARING, CASE NO. 1617-081 (recorded)

Social Services Director Kim Drury was present.

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❖ 1:46 P.M. - A Motion was made by Commissioner Howell to go into executive session per Idaho Code 74-206(1)(d), to consider records exempt from disclosure. It was seconded and carried with a unanimous roll call vote.

1:53 P.M. - Return to open session.

The Board determined to await a written decision of the appeal.

INDIGENT APPEAL HEARING, CASE NO. 1718-007 (recorded)

❖ 2 P.M. - A Motion was made by Commissioner Howell to go into executive session per Idaho Code Section 74(206)(1)(d) to consider records exempt from disclosure. It was seconded and carried with a unanimous roll call vote.

2:07 P.M. - Return to open session.

TEVIAN EKREN-KOBER—LOT IN HAZELTON

Treasurer Tevian Ekren-Kober was present.

Commissioner Howell followed up from a March 12 discussion about a County lot in Hazelton. He said the City of Hazelton would like to obtain the lot from the County if there were no charge for it. The Board was awaiting written correspondence from the city regarding its interest in the lot.

LINDA PALMER—WAIVE SUBDIVISION APPLICATION FEE

Planning and Zoning Administrator Art Brown and P&Z Assistant Administrator Nancy Marshall were present. Also present was Anthony Arellano, representing Linda Palmer, and Ben Crouch.

Brown explained why Linda Palmer had requested the waiver of a subdivision application fee. He said Palmer needed to apply for a new subdivision to change a boundary line so her property would comply with building setback and easement requirements.

The Board discussed with the P&Z staff how much it would cost the County to process the application and determined to reduce the fee from \$520 to \$400.

❖ A Motion was made by Commissioner Howell to reduce the fee to \$400 for the application of the minor final plat amendment for Linda Palmer, which includes a GIS fee of \$30. It was seconded, followed by discussion, and carried with unanimous ayes.

MARIO UMANA—ADJUST WORK SCHEDULE/COMP TIME

Juvenile Probation Administrator Mario Umana was present. Also present was Ben Crouch.

Umana requested to earn comp time when necessary until a diversion position could be filled in his office. The Board approved of the extra time and advised Umana to advertise for the open

position. Umana said he would be making slight changes to the diversion officer's job description.

MARISELA IBARRA—CONTRACTS

Jail Administrator Marisela Ibarra, Interim Sheriff George Oppedyk, Deputy Sheriff Gary Taylor, and Attorney Mike Seib were present. Also present was Mycel Matthews, Times-News reporter.

Sheriff Oppedyk brought four proposed contracts for jail bed space, to wit, Twin Falls County, the Idaho Department of Corrections (IDOC), the United States Department of Homeland Security Immigration and Customs Enforcement (ICE), and the Marshals Service.

The Board discussed changes it would like to the contracts.

Attorney Gary Slette was present.

Sheriff Oppedyk said the County had passed inspection for both the Marshals Service and ICE but that he would rather work with the Marshals Service.

Emergency Management Coordinator Tanya Stitt and Planning and Zoning Assistant Administrator Nancy Marshall were present.

Sheriff Oppedyk and Deputy Ibarra advised regarding the proposed contracts.

Commissioner Roemer inquired about the number prisoners the current jail staff could handle. Ibarra said the detention staff was close to full, but Sheriff Oppedyk said his department could not house prisoners from both the Marshals Service and ICE. He favored accepting contracts with Twin Falls and the Marshals Service.

➤ It was determined Seib would amend the contracts proposed by Twin Falls County and the Marshals Service, and signing them was added to the March 26 agenda.

MIKE SEIB—LEGAL COUNSEL

Attorney Mike Seib was present.

Sponsor Rezoning for Eden Area: Planning and Zoning Administrator Art Brown, P&Z Assistant Administrator Nancy Marshall, Emergency Management Coordinator Tanya Stitt, and Attorney Mike Seib were present. Also present were Arthur and Jamie Henry, Gary Slette, and Mycel Matthews, Times-News reporter.

The Board continued its March 12 discussion of sponsoring Eden area rezoning. Seib advised to deliberate the Area of City Impact separate from County zoning.

Commissioner Howell suggested agreeing on the impact area before addressing zoning in order not to confuse the public.

Brown said the County was awaiting a reply from Eden officials about their availability to have a workshop with the Commissioners regarding the Eden Area of City Impact.

❖ **Executive Session:** 4:56 P.M. - A Motion was made by Commissioner Howell to go into executive session per Idaho Code Section 74(206)(1)(d), regarding privileged communication from legal counsel. It was seconded and carried with a unanimous roll call vote.

5:12 P.M. - Return to open session.

Sheriff Selection Questions: The Commissioners shared questions they would like to ask each candidate for sheriff at their meeting on March 21.

Public Comment: The Board determined to accept only written comments from the public at their interviews with the sheriff candidates.

Appointment: The Board decided to make its decision on a sheriff appointment on the evening of its interviews.

Air St. Luke's Membership: The Board reviewed with its legal counsel an Air St. Luke's agreement it had addressed that morning.

❖ A Motion was made by Commissioner Roemer to authorize Air St. Luke's to offer the business membership agreement and application to Jerome County employees at an annual rate of \$45. It was seconded and carried with unanimous ayes.

Mid-Snake Resolution: Seib reviewed a resolution adopting amendments to the Coordinated Water Resource Management Plan as presented on March 5 by Bob Muffley, Middle Snake Regional Water Resource Commission executive director.

❖ A Motion was made by Commissioner Morley to accept Resolution 2018-9. It was seconded and carried with unanimous ayes.

RESOLUTION NO. 2018-9

A RESOLUTION ADOPTING AMENDMENTS TO THE COORDINATED WATER RESOURCE MANAGEMENT PLAN

The Jerome County Board of County Commissioners (herein after known as the "Board") held a public hearing on March 5, 2018, on proposed amendments to the Coordinated Water Resource Management Plan of the Middle Snake Regional Water Resource Commission. Based on review of the proposed amendments to the Water Quality Section and the proposed amendments and updates to the Economic Section of the Coordinated Water Resource Management Plan, the Board makes the following:

Findings of Fact

1. The Board of Commissioners for Jerome County originally adopted the Coordinated Water Resource Management Plan in 1993 by Ordinance Nos. 93-1 and 93-2 and again in 2003 with Ordinance No. 2003-2. The Plan was amended by motions on July 17, 2007; September 13, 2011; and September 30, 2013.

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2. A Notice of Public Hearing regarding proposed amendments, changes, and clarifications to the Water Quality and Economic Sections of the Coordinated Water Resource Management Plan was published in the Times-News, the official newspaper for publication in Jerome County, on February 8, 2018.

3. The public hearing was set for March 5, 2018, at 11 A.M. in the chambers of the Board of County Commissioners.

4. The public hearing was held on March 5, 2018, at the appointed time and at the place set in the published notice.

5. The executive director of the Middle Snake Regional Water Resource Commission and a University of Idaho extension educator appeared at the hearing and presented the proposed amendments, changes, and clarifications.

6. No other interested parties appeared or issued written comments to remark, question, or speak to concerns about the proposed amendments.

7. The Board reviewed the proposed amendments and agreed that such proposed changes were beneficial to the whole of the Coordinated Water Resource Management Plan.

Based on the afore-stated Findings of Fact, the Board makes the following:

Conclusions of Law

1. Notice of proposed changes was properly published in the County's official newspaper.
2. Notice of the date, time, and place of a public hearing was properly and timely published in the County's official newspaper.
3. The general public and any interested parties were offered sufficient time and opportunity to comment on the proposed amendments.
4. The Board concludes that the amendments are appropriate and lawful changes to the Coordinated Water Resource Management Plan.

Decision

The Board, after review of procedure and study of the proposed amendments, makes the following decision:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR JEROME COUNTY, IDAHO, that the attached forty-four (44) pages concerning the Water Quality and Economic sections of the Middle Snake Regional Water Resource Commission's Coordinated Water Resource Management Plan, as indicating amendments, changes, and clarifications, which is attached hereto as Exhibit A, and hereby incorporated in full by reference as though set forth in this resolution, be, and hereby is adopted as amendments, to said Plan.

This Resolution No. 2018-9 shall be of full force and effect upon its execution by the Board of County Commissioners for Jerome County, Idaho.

APPROVED AND ADOPTED this 19th day of March 2018.

ATTEST:

/s/ Michelle Emerson
Michelle Emerson, Clerk

(S E A L)

BOARD OF COMMISSIONERS
JEROME COUNTY, IDAHO

/s/ Charles M. Howell
Charles M. Howell

/s/ Catherine M. Roemer
Catherine M. Roemer, Commissioner

/s/ Roger M. Morley
Roger M. Morley, Commissioner

Note: Exhibit A may be viewed as part of the full resolution at the Jerome County clerk's office, 300 North Lincoln Avenue, Jerome, Room 300. Recorded as Instrument No. 2181132.

READ AND APPROVE MINUTES

❖ A Motion was made by Commissioner Morley to approve the minutes of March 5 and March 12 as read. It was seconded and carried with unanimous ayes.

INDIGENT MATTERS

❖ A Motion was made by Commissioner Howell to follow staff recommendations for indigent matters. It was seconded and carried with unanimous ayes. Denied were Case Nos. M108-002 and 1718-036.

Meeting adjourned at 5:45 P.M.

Respectively submitted:

Jane White, Deputy Clerk

Charles M. Howell, Chairman

Catherine M. Roemer, Commissioner

Roger M. Morley, Commissioner