

## **JEROME COUNTY COMMISSIONERS**

Monday, June 11, 2018

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

Meeting convened at 9 A.M.

Commissioner Howell had been detained on a service call for his business.

### **COMMISSIONER REPORTS**

Commissioner Morley reported from an Airport Advisory Board meeting that larger lanes would be created around the gas pumps and that directors had discussed possible uses for an old building at the Jerome Airport. He had also served on the committee to choose an airport consultant.

### **RON POSEY—FOURTH OF JULY CELEBRATION**

Ron Posey, Commander of American Legion Post 46 in Jerome, was present.

Posey invited the Commissioners to attend, and speak if desired, at a celebration on the Fourth of July in Jerome's War Memorial Park, which would begin at 9 A.M. He said the Legion Auxiliary members had planned for a singer and a band to help with the commemoration of the birth of the United States.

Posey also informed the Board of a flag retirement ceremony to be held at the Northside Military Museum on June 16.

### **NACo CONFERENCE ATTENDANCE**

The Commissioners said they would not represent their membership in the National Association of Counties by attending a conference in Nashville, Tennessee.

### **APPROVE ATTENDANCE RECORDS**

The Board approved Time Records for Garth Baker, Art Brown, Cody Cantrell, Brent Culbertson, Deserae Jones, and Mario Umana.

### **CLAIMS**

This matter was continued until June 12.

### **BRENT CULBERTSON—MAINTENANCE REPORT**

Maintenance Supervisor Brent Culbertson and Clerk/Auditor/Recorder Michelle Emerson were present.

Culbertson reported of ongoing maintenance projects and repairs at the Courthouse and the Correctional Facility. He presented a proposal from Pro-Flame, Jerome, to replace two heat pumps at the Courthouse. He also gave the Commissioners a bid from Lee Nunnally Masonry,

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Jerome, to move commemorative bricks from the sidewalk in front of the Courthouse to an outside wall around the jail's former exercise yard.

❖ A Motion was made by Commissioner Roemer to approve the request of \$16,800 for replacement of two three-ton heat pumps for the Courthouse. It was seconded and carried with unanimous ayes.

❖ A Motion was made by Commissioner Roemer to approve repair and upgrade of the Courthouse recreation yard wall in the amount of \$12,600 as requested by Brent Culbertson. It was seconded and carried with unanimous ayes.

### **MICHELLE EMERSON—CLERK MATTERS**

Clerk/Auditor/Recorder Michelle Emerson was present.

**Indigent Defense Grant Agreement:** Emerson presented paperwork for signature in order to receive a \$76,000 grant for the public defenders from the Idaho State Public Defense Commission.

**Polling Places Consolidation:** Emerson proposed assigning one polling place for both the Eden and Hazelton precincts, effective in March of 2019. She said she had conferred with Valley School officials who had said they were willing to host voting at the school, which is between the cities of Hazelton and Eden.

Commissioner Morley agreed with the idea, which would be addressed again in 2019.

### **GUY STUBBS—MEDICAL INSURANCE RENEWAL**

Guy Stubbs, medical insurance agent for the County, Clerk/Auditor/Recorder Michelle Emerson, and Chief Deputy Clerk Tracee McKim were present.

Stubbs reported that Blue Cross, as the current insurance carrier for the County, was offering a ten percent discount in premiums in FY 2018-19. He presented paperwork recapping coverages from Blue Cross as well as statistics from 2016-2018.

Stubbs believed the differences between the current dental coverage with Blue Cross and insurance offered by Delta Dental were insignificant.

➤ Stubbs said he would return to the Board if another company offered an insurance quote.

### **ART BROWN—PLANNING AND ZONING**

Planning and Zoning Administrator Art Brown, P&Z Assistant Administrator Nancy Marshall, Clerk/Auditor/Recorder Michelle Emerson, and Chief Deputy Clerk Tracee McKim were present. Also present was Ben Crouch.

**Report:** Brown reviewed his monthly written report with the Commissioners, which included statistics from building department inspections and projects, code enforcement, revenue collected, and GIS (mapping) as well as staff activities.

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Brown said his department had added an interactive recreation map to the County's Website. He questioned purchasing a new Trimble unit for the mapping department, and McKim advised that there were funds in the capital expenditures line to purchase the unit in the current budget year.

Charles Wiegard was present.

**FY 2018-19 Budget Request:** Brown justified raises he requested for all five of his staff members. McKim explained an increase in the budget line for Brown's wage because she said the current budget had allowed paying him for 37 ½ hours a week but that he works 40 hours.

Brown explained requested increases in vehicle repairs and contract help but said he no longer needed the budget line for a code enforcer or as much in the publications budget line.

Meeting recessed at 11:50 A.M.

Meeting reconvened at 1:15 P.M.

### **TEVIAN EKREN-KOBER—TREASURER MATTERS**

Treasurer Tevian Ekren-Kober was present.

**Tax Exemption:** Ekren-Kober asked the Commissioners to sign a Letter of Cancellation for the fire district in Eden because it had an agreement with Jerome County's transfer station that it would not be charged any refuse fees and that it would respond to any fires at the station.

❖ A Motion was made by Commissioner Morley to cancel the remaining charges for 2016 and 2017 in the amount of \$339.01 for the First Segregation Fire District, due to its exemption from taxes and refuse fees, permanently. It was seconded and carried with unanimous ayes.

**Dimond Penalty and Interest Cancellation:** Ekren-Kober told the Board her office had incorrectly applied a tax payment and requested a Letter of Cancellation to eliminate overdue charges.

❖ A Motion was made by Commissioner Morley to cancel the penalty and interest on Parcel No. RP08S19E321201 in the name of Dean Dimond in the amount of \$66.94, due to a treasurer's office error. It was seconded and carried with unanimous ayes.

**Wage Increase:** Ekren-Kober explained that she had promoted Nina Lagle to chief deputy after her other employee had resigned. She requested a salary increase for Lagle, saying she was a valuable asset to the office and had taken on new challenges.

The Board signed an Employee Wage Change form for Nina Lagle, effective June 11, 2018.

### **EXECUTIVE SESSION—INDIGENT APPEAL HEARING, CASE NO. 1415-001 (recorded)**

Social Services Director Kim Drury, Social Services Deputy Director Lorena Aguilar, and Attorney Mike Seib were present. Also present were Ramon Gallegos, Laura Gallegos, Bryon Nickels, and Stephen Devillo, St. Alphonsus Regional Medical Center.

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❖ 2:12 P.M. - A Motion was made by Commissioner Roemer to go into executive session per Idaho Code Section 74-206(1)(d), records exempt from disclosure. It was seconded and carried with a unanimous roll call vote.

3:43 P.M. - Return to open session.

**PUBLIC HEARING—GH HOLDINGS SETBACK VARIANCE (recorded)**

Planning and Zoning Administrator Art Brown, Assistant P&Z Administrator Nancy Marshall, Building Inspector Rick Kirsch, and Attorney Mike Seib were present. Also present were Randy Grant, owner of GH Holdings; Nevon O’Berg and Robert O’Berg, both CNR Construction; Tim Stover, attorney for CNR Construction; and Ron Kempfers, Cleary Building Corporation.

The deputy clerk swore in those who were to testify.

**APPLICANT**

Grant explained why he had applied for a variance from the building setback requirements of the Jerome County Zoning Ordinance. He said that after CNR had legally constructed his shop, a survey conducted when he had applied for a land division showed that the building was actually two feet too close to the property line.

Commissioner Morley asked of neighboring residences. Grant said Cleary Building was his only neighbor.

Nevon O’Berg showed on a map the location of Grant’s property and Cleary Building.

**STAFF**

Brown referred to his staff report and answered questions from the Commissioners.

**IN SUPPORT**

Nevon O’Berg said it would be possible to construct a firewall along one side of the building.

Stover testified that the uniqueness of the property qualified it for a variance; he added that it would cost \$100,000 to move the building.

**OPPOSITION**

Kempfers read many reasons why he was objecting to Grant’s building and said his primary request was that he moves the shop. He asked for three conditions on the variance if it were approved: (1) the construction of gutters and snow blocks on the building roof, (2) inspection of the building, and (3) construction of a firewall on the building.

**NEUTRAL**

No one testified as neutral to the application.

**REBUTTAL:**

No one offered a rebuttal.

Commissioner Roemer closed the evidentiary part of the hearing, and the Board determined to discuss the evidence presented in order to make a decision on the variance application.

#### DISCUSSION

Commissioner Morley expressed that moving the building was not a reasonable solution and that protecting the neighbors would be his main concern. He advocated common ground where everyone would get something he wanted.

Commissioner Roemer was in favor of approving the variance with the suggestion from the staff that runoff would not affect the neighbor's property.

Seib agreed with the variance but questioned why conditions would be necessary for only a two-foot variance from the property line.

The Board determined to accept the variance and the requests of Cleary Building.

- Commissioner Roemer recessed the hearing to await signing a written decision.

#### **JUSTIN McMILLAN—AIRPORT DUTIES**

Airport Maintenance Employee Justin McMillan was present.

Mc Millan reported on maintenance at the Jerome Airport and said he had been training to assume manager duties after the resignation of the manager effective June 15.

- The Board asked McMillan to report again on June 18.

#### **MIKE SEIB—LEGAL COUNSEL**

Attorney Mike Seib was present.

**Sign Cemetery Lease:** Seib had presented the Board with a room rent lease for the Jerome cemetery district, as approved on June 4, to expire September 30, 2018.

❖ A Motion was made by Commissioner Roemer to sign the lease agreement between Jerome County and the Jerome Cemetery Maintenance District. It was seconded and carried with unanimous ayes.

**Sign Memorandum Decision:** The Board was in receipt of a Memorandum Decision reflecting its decision on June 4 to approve an application from White Clover Dairy for an increase in its animal units and a variance.

❖ A Motion was made by Commissioner Roemer to sign a Memorandum Decision; Findings of Fact; and Conclusions of Law for the White Clover Dairy aka Roth Investments as presented. It was seconded and carried with unanimous ayes. It was seconded and carried with unanimous ayes.

**Sign Valley School Agreement:** The Board had discussed sharing the cost of a resource officer for the Valley School with the school district on April 16 and April 23 and was in receipt of an agreement with the district.

❖ A Motion was made by Commissioner Roemer to authorize the vice chairman to sign the Valley School resource officer agreement between Valley School District #262 and the Jerome County Sheriff's Department. It was seconded and carried with unanimous ayes.

**Sign Eden Law Enforcement Agreement:** The Board was in receipt of an agreement with the City of Eden for the sheriff's office to investigate and enforce violations of Ordinance 2-2017.

❖ A Motion was made by Commissioner Roemer to sign the Eden law enforcement agreement between Jerome County and City of Eden. It was seconded and carried with unanimous ayes.

**APPROVE CLAIMS**

This matter was continued until June 12.

**READ AND APPROVE MINUTES**

This matter was continued until June 12.

**INDIGENT MATTERS**

❖ A Motion was made by Commissioner Morley to approve indigent matters as presented. It was seconded and carried with unanimous ayes. Dismissed was Case No. 1718-020.

Meeting adjourned at 4:25 P.M.

Respectively submitted:

(absent)

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