

JEROME COUNTY COMMISSIONERS

Tuesday, November 13, 2018

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

Commissioner Roemer was out-of-town.

Meeting convened at 9 A.M.

COMMISSIONER REPORTS

Commissioner Morley reported from an Airport Advisory Board meeting where the board members had discussed with airport advisor Kent Atkin a grant for rebuilding the Jerome Airport runway.

Clerk/Auditor/Recorder Michelle Emerson was present.

Commissioner Morley had also attended a meeting about protecting Devil's Corral in the Snake River Canyon, where discussion was held about purchasing it from George Panagiotou.

Commissioner Howell had attended the installation ceremony for new magistrate Judge Stacey Depew and the Jerome Chamber of Commerce HolidayFest.

COMMUNITY ACTION PROJECT REVIEW

The Commissioners answered a notification from the South Central Community Action Partnership of its intent to apply for federal assistance. Commissioner Howell signed a comment sheet, checking that the effects of a Mutual Self-help Housing Program, although measurable, would be acceptable.

T-MOBILE REQUEST

The Board determined to research whether it would like to hear a proposal from T-Mobile for County cellular service.

APPROVE TIME RECORDS

The Board signed Time Records for the October 18, 2018, through November 10, 2018, pay period for Cody Cantrell, Brent Culbertson, Deserae Jones, Nancy Marshall, and Mario Umana.

BUSINESS AND/OR ADMINISTRATIVE MATTERS

Chief Deputy Clerk Tracee McKim was present.

McKim reported the sheriff's office was in need of a new laptop computer.

❖ A Motion was made by Commissioner Howell to authorize Tracee McKim to purchase a laptop computer and docking station for the detective's office/Chad Kingsland, not to exceed \$2300. It was seconded and carried with unanimous ayes.

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The Board signed a leave request for Mario Umana.

The Board signed Employee Wage Change forms for newly hired detention deputies Jacob Wing and Trey Treasure.

The Board signed two Claims Approval Reports dated November 9, 2018, for the Insurance Deductible Trust Fund, one with a total of \$240, and another with a total of \$5,473.13.

The Board signed a Payroll Register-Accounting Summary dated November 9, 2018, with a total of \$732.93.

CLAIMS

Commissioner Howell signed claims for the October 23, 2018, to November 13, 2018, claim cycle as follows.

BUDGET TOTALS

10/23/2018 TO 11/13/2018

| # | DEPARTMENT | PAYROLL | ACCT PAY | GRAND TOTAL |
|----|--------------------------------|---------------|---------------|---------------|
| 1 | CLERK | \$ 22,139.07 | \$ 284.89 | \$ 22,423.96 |
| 2 | ASSESSOR | \$ 6,101.42 | \$ 369.96 | \$ 6,471.38 |
| 3 | TREASURER | \$ 4,933.22 | \$ 198.52 | \$ 5,131.74 |
| 4 | HUMAN RESOURCES | | | |
| 5 | COMMISSIONERS | \$ 3,843.97 | \$ 642.76 | \$ 4,486.73 |
| 6 | CORONER | \$ 395.24 | \$ 435.00 | \$ 830.24 |
| 10 | BUILDING & GROUNDS MAINTENANCE | \$ 4,475.00 | \$ 2,775.42 | \$ 7,250.42 |
| 11 | EMERGENCY MANAGEMENT | \$ 1,629.60 | \$ 2,584.10 | \$ 4,213.70 |
| 13 | EXTENSION AGENT | \$ 2,860.05 | \$ 620.89 | \$ 3,480.94 |
| 14 | DATA PROCESSING | \$ 1,227.39 | \$ 28,099.88 | \$ 29,327.27 |
| 15 | ELECTIONS | | \$ 11,714.70 | \$ 11,714.70 |
| 18 | GENERAL | \$ 25,002.00 | \$ 19,670.97 | \$ 44,672.97 |
| 21 | PLANNING & ZONING | \$ 7,891.91 | \$ 2,159.90 | \$ 10,051.81 |
| 22 | GIS | \$ 1,350.00 | \$ 59.99 | \$ 1,409.99 |
| 29 | GENERAL FUND RESERVE | | | |
| 30 | VETERANS | \$ 551.22 | \$ 62.48 | \$ 613.70 |
| | Sub Total (General Fund) | \$ 82,400.09 | \$ 69,679.46 | \$ 152,079.55 |
| 4 | SHERIFF | \$ 41,911.92 | \$ 7,084.35 | \$ 48,996.27 |
| 5 | SHERIFF-DETENTION | \$ 44,834.25 | \$ 16,135.64 | \$ 60,969.89 |
| 6 | ADULT PROBATION | \$ 6,929.23 | \$ 2,188.21 | \$ 9,117.44 |
| 7 | PROSECUTOR | \$ 16,301.41 | \$ 841.61 | \$ 17,143.02 |
| 8 | PUBLIC DEFENDERS | | \$ 8,558.20 | \$ 8,558.20 |
| 9 | JUVENILE PROBATION | \$ 7,558.00 | \$ 7,688.19 | \$ 15,246.19 |
| 18 | GENERAL JUSTICE | \$ 48,435.83 | \$ 9,225.07 | \$ 57,660.90 |
| | Sub Total (Justice Fund) | \$ 165,970.64 | \$ 51,721.27 | \$ 217,691.91 |
| 3 | AIRPORT | \$ 3,843.14 | \$ 34,550.60 | \$ 38,393.74 |
| 6 | DISTRICT COURT | \$ 5,276.46 | \$ 30,289.27 | \$ 35,565.73 |
| 7 | FAIR | \$ 5,071.14 | | \$ 5,071.14 |
| 9 | CAPITAL FAIR | | | \$ - |
| 11 | HEALTH DISTRICT | | \$ 10,536.43 | \$ 10,536.43 |
| 15 | ELECTION CONSOLIDATION | \$ 2,702.73 | | \$ 2,702.73 |
| 16 | INDIGENT | \$ 3,841.11 | \$ 67,358.86 | \$ 71,199.97 |
| 20 | REVALUATION | \$ 15,256.32 | \$ 519.23 | \$ 15,775.55 |
| 23 | SOLID WASTE | | \$ 301.00 | \$ 301.00 |
| 24 | TORT | | \$ 100,238.00 | \$ 100,238.00 |
| 27 | WEED | | | \$ - |
| 29 | AMBULANCE | | | \$ - |
| 38 | WATERWAYS BOARD | | | \$ - |
| 38 | WATERWAYS SHERIFF | | | \$ - |
| 40 | CORRECTIONAL FACILITY | | | \$ - |
| 41 | BOND REDEMPTION | | | \$ - |
| | GRAND TOTAL | \$ 284,351.63 | \$ 265,194.12 | \$ 549,545.75 |

BRENT CULBERTSON—MAINTENANCE REPORT

Maintenance Supervisor Brent Culbertson was present.

Report: Culbertson reported he was repairing a water heater and furnace at the jail. The Board discussed establishing a maintenance shop because Commissioner Howell said the planned shop at the jail complex had not been constructed as planned.

- Commissioner Howell said he would consult the Fair Board about sharing its shop.

Culbertson submitted a bid for finishing the commemorative wall at the Courthouse from a company that he said the County had a history with for doing good work.

❖ A Motion was made by Commissioner Morley to accept the bid from Stucco Dynamics, LLC, for not more than \$4,650 for finishing the brick nameplate wall. It was seconded and carried with unanimous ayes.

Discarded Equipment: This matter was continued until December.

New Trees for the Jail: The Board discussed the bids Culbertson had received for replacing dead trees at the jail complex. He said they included removal of the old trees.

❖ A Motion was made by Commissioner Howell to authorize Brent Culbertson to remove the dead trees at the jail facility, with consideration for replacement at a later date. It was seconded and carried with unanimous ayes.

TIM LARSON—AIRPORTS REPORT

Airports Manager Tim Larson was present.

Report: Larson presented three bids for pumping septic tanks at the Jerome Airport, which he said should be done every three years but had not been done since 2012. He recommended the least expensive one, to which the Commissioners agreed.

❖ A Motion was made by Commissioner Howell to approve the Western Septic & Excavation proposal for pumping two 1,000-gallon septic tanks at the Jerome Airport, not to exceed \$430. It was seconded and carried with unanimous ayes.

Larson said he had met with Kent Atkin (JUB Engineers) and Larry Hall (Jerome 20/20) about applying for grants to help with infrastructure at the Jerome Airport. He told the Commissioners the Airport Advisory Board had recommended razing the tin building and using its location for an additional parking lot.

Commissioner Howell asked about obtaining a new sign for the Airport, and Larson said the Airport needed a new sign but that he believed in maintaining the history of the Airport.

Fuel Discounts: Larson said developing a graduated scale for fuel discounts was a work in progress and that five customers currently had ten-cent discounts.

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LEE NUNNALLY—COMMEMORATIVE BRICKS

Lee Nunnally, owner of Lee Nunnally Masonry, Inc., was present.

The Board discussed with Nunnally continuing to offer commemorative bricks to the public for a wall at the Courthouse.

It was determined to take orders up to 140 bricks. The cost would be \$26 per brick, which is the cost to the County.

NANCY MARSHALL—PLANNING AND ZONING REPORT

Planning and Zoning Administrator Nancy Marshall was present.

Marshall read from her monthly written report of activities in the Planning and Zoning Office, which included financial, building department, code enforcement, and mapping pursuits.

Marshall requested a credit card issued in the name of Mark Reyes so that he could use it when he attended out-of-town conventions.

❖ A Motion was made by Commissioner Morley to approve a credit card for Mark Reyes with a limit of \$2,000 for County use, to be overseen by the planning and zoning administrator. It was seconded and carried with unanimous ayes.

Commissioner Morley inquired about one of the code enforcement complaints, followed by Marshall's further expansion of her report.

Marshall reviewed public response from a proposed and updated Comprehensive Plan.

➤ It was determined to discuss the suggestions further with the County's legal counsel on December 3 before a public hearing on December 10.

The Board signed an Employee Wage Change form to hire Tiffany Razo-Chavez as a part-time P&Z data processing clerk, effective November 13.

Meeting recessed at 11:48 A.M.

Meeting reconvened at 1:16 P.M.

JULIE ARROYO—NOXIOUS WEED COMPLAINT

Julie Arroyo was present.

Arroyo said she lived at 874 East Road and complained that her neighbor was not controlling his noxious weeds. She said she had spoken with the tri-county weed superintendent, who had met with her neighbor and had then told Arroyo to meet with the County Commissioners.

The Commissioners viewed seven colored pictures of noxious weeds presented by Arroyo.

Commissioner Elect Ben Crouch was present.

➤ The Commissioners agreed to the need to control noxious weeds. They said they would meet with the weed superintendent before his next quarterly meeting with them.

MICHELLE EMERSON—CLERK MATTERS

Clerk/Auditor/Recorder Michelle Emerson and Elections Specialist Cy Lootens were present. Also present was Commissioner Elect Ben Crouch.

Review Wage Changes: Emerson presented corrected Employee Wage Change forms for Charry Cushman and Cheryl Reeder, to which the Commissioners agreed.

Canvass Results of November 6 Election: Lootens told the Board the percentage of registered voters voting in the November 6 General Election was only slightly higher than the previous General Election but that the number of voters had increased considerably, with nearly 800 registering on Election Day.

The Board reviewed the election results and signed the Canvass Certificate.

❖ A Motion was made by Commissioner Morley to accept the voting tallies as presented by Michelle Emerson. It was seconded and carried with unanimous ayes.

The County results were as follows: United States Representative, District 2, Mike **Simpson**;

Governor, Brad **Little**; Lieutenant Governor, Janice **McGeachin**; Secretary of State, Lawrence **Denney**; State Controller, Brandon **Woolf**; State Treasurer, Julie **Ellsworth**; State Attorney General, Lawrence **Walden**; State Superintendent of Public Instruction, Sherri **Ybarra**; State Legislative District 25 Senator, Jim **Patrick**; State Legislative District 25 Representative A, Laurie **Lickley**; State Legislative District 25 Representative B, Clark **Kauffman**;

County Commissioner District 1, Ben **Crouch**; County Commissioner District 3, John **Crozier**; County Clerk, Michelle **Emerson**; County Treasurer, Tevian **Kober**; County Assessor, Rick **Haberman**; and County Coroner, Gerald **Brant**, all Republicans;

Proposition One to legalize the use of video terminals for betting on historical horse races, No; Proposition Two to expand Medicaid eligibility, Yes;

District 5 Judge, Roger **Harris**; and

College of Southern Idaho Trustee Zone 1, Anna **Scholes**, College of Southern Idaho Trustee Zone 5, Scott **McClure**.

Resolution to Destroy Certain Records: Lootens presented a resolution to destroy election records according to Idaho Code.

❖ A Motion was made by Commissioner Morley to accept Resolution 2018-45, Auditor's Office Destruction of Election Records. It was seconded and carried with unanimous ayes.

RESOLUTION 2018-45

AUDITOR'S OFFICE-DESTRUCTION OF ELECTION RECORDS

WHEREAS, the Jerome County Commissioners having received a request from County Clerk Michelle Emerson to destroy certain records pursuant to Idaho Code 31-871; and

WHEREAS, the following documents are requested to be destroyed or transferred to the Idaho State Archives are as follows:

**Purged voter registration cards February 2013,
Poll Books November 2013,
Voted Ballots March 2016,
Voted Ballots November 2016,
Unvoted Ballots November 2017,
Unvoted Ballots March 2018,
Unvoted Ballots May 2018**

WHEREAS, proper administration of Jerome County government requires that old records and documents are 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 are classified as temporary records, and therefore need not be retained after a period of one (1) two (2) and five (5) years per Idaho Code Section 34-217 (2) and (3); and

WHEREAS, written notice has been given to the Idaho State Archives, and they DO NOT want any of the above-listed documents per notification to the Clerk; and

THEREFORE, BE IT HEREBY RESOLVED by the Board of County Commissioners for Jerome County, State of Idaho, that the afore-mentioned records, documents, and instruments be destroyed.

DATED this 13th day of November 2018

ATTEST:

/s/ Michelle Emerson
Michelle Emerson, Clerk

(S E A L)

/s/ Charles M. Howell
CHARLES M. HOWELL, Chair

(absent)
CATHERINE M. ROEMER, Commissioner

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

KATHRYN HANGAARD—HOMEOWNER'S EXEMPTION

Assessor Rick Haberman and Treasurer Tevian Ekren-Kober were present. Also present was homeowner Kathryn Hangaard.

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Hangaard was present to request a homeowner's exemption on her tax bill. She said she thought the homeowner exemption would be reflected on her tax bill because it had been on the previous bill she had received.

Haberman explained the exemption from the previous owner carried through the first year the Hangaards owned the property, as had the circuit breaker exemption allowed the previous owners.

Haberman said his office could not apply a homeowner exemption because the new owners had not applied for an exemption before April 15, 2018. He said in the past, other homeowners had made accommodations with the treasurer's office to make monthly payments to bring their taxes current.

➤ Commissioner Howell said the Board would research whether it could allow a tax exemption and advise Hangaard in a letter.

MEMORANDUM OF UNDERSTANDING FOR AMATEUR RADIO OPERATORS

Attorney Mike Seib, Planning and Zoning Administrator Nancy Marshall, and P&Z Clerk Kacie Buhler were present. Also present were Terry Fletcher, Kelly Klaas, and Lorand "Dunk" Layton, all representing RACES/ARES.

Commissioner Howell reviewed with Fletcher proposed changes to the County's Memorandum of Understanding with amateur radio operators.

Fletcher said he understood that the County would incorporate the addendum requested by the radio operators into a new Memorandum and that the sheriff and the emergency management director would not need to sign it.

➤ Final signatures were set for November 19.

Those present discussed bids received for amateur radio equipment for the County's tower on Highway 93. Fletcher said the White Cloud bid included what was needed and that he believed it was a credible bid.

➤ Commissioner Howell said he would ask another company to bid on the items needed, and the matter was set on the November 26 agenda.

MIKE SEIB—LEGAL COUNSEL

Attorney Mike Seib was present.

Sign Ordinance 2018-2 for Riley Rezone: The Board was in receipt of an ordinance to amend the County Zoning Map in accordance with its written decision on November 5 to rezone a portion of Jack and Debi Riley property from Agriculture Limited (A-L) to Agriculture Residential (A-2).

❖ A Motion was made by Commissioner Howell to sign Ordinance No. 2018-2, 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. It was seconded and carried with unanimous ayes.

ORDINANCE NO. 2018-2

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, 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 sets 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-L Agriculture Limited Zone to an A-2 Rural Residential Zone:

Township 10 South, Range 20, East of the Boise Meridian, Jerome County, Idaho
Section 3: That part of Lot 2, more particularly described as follows:
Beginning at a point 25.00 feet South and 21.00 feet East of North quarter corner of said Section;
Thence South parallel with the West line of said NW1/4NE1/4, a distance of 400.00 feet;

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Thence East parallel with the North line thereof a distance of 326.7 feet;
Thence North parallel with the West line thereof a distance of 400.00 feet;
Thence West parallel with the North line 326.7 feet to THE POINT OF
BEGINNING.

Also known as Parcel 0620 in Section 03, Township 10 South, Range 20 EBM;
TAX 12 OF LOT 2 SEC 3 T10 R20 3.00 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 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 208, 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 Commissioners on the 13th day of November 2018.

ATTEST:

/s/ Michelle Emerson

Michelle Emerson, Jerome County Clerk

(S E A L)

/s/ Charles M. Howell

Charles "Charlie" Howell, Chair

/s/ Roger M. Morley

Roger Morley, Commissioner

(absent)

Cathy Roemer, Commissioner

Amateur Radio Equipment: The Board discussed with Seib purchasing equipment for amateur radio communication.

Littering Complaint: The Board followed up with Seib regarding a complaint from Cyndy Paulos in June about littering, which she had reported was still happening. Seib said Paulos would need to see the party placing the litter and then file a complaint with the sheriff's office.

Weed Complaint: Seib agreed with the Commissioners that they should meet with the tri-county weed superintendent about a homeowner's complaint of noxious weeds on her neighbor's property.

Contributing to a Non-Profit Organization: Commissioner Morley asked about the legality of the County contributing to a non-profit organization. Seib advised that the charitable organization would need to contribute to the public benefit.

APPROVE CLAIMS

❖ A Motion was made by Commissioner Howell to approve the claims as presented. It was seconded and carried with unanimous ayes.

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The Board signed a Claims Approval Report dated November 9, 2018, for the Indigent Fund, with a grand total of \$9,269.73.

The Board signed a Claims Approval Report dated November 9, 2018, for the Restitution-Courts Fund, with a grand total of \$6,323.99.

The Board signed a Claims Approval Report dated November 13, 2018, for the District Court II Fund, with a grand total of \$1,248.

The Board signed a Claims Approval Report dated November 9, 2018, with a grand total of \$318,122.74 for the following funds: General, Airport, District Court II, Justice, Health District, Indigent, Revaluation, Solid Waste, Tort, and Auditor's Trust.

INDIGENT MATTERS

❖ A Motion was made by Commissioner Morley to approve indigent matters as presented. It was seconded and carried with unanimous ayes. Approved was Case No. 1718-103. Denied was Case No. 1718-104; dismissed was Case No. 1718-094.

Meeting adjourned at 3:40 P.M.

Respectively submitted:

Jane White, Deputy Clerk

Charles M. Howell, Chairman

(absent)
Catherine M. Roemer, Commissioner

Roger M. Morley, Commissioner