

**JEFFERSON COUNTY COMMISSIONER MEETING MINUTES
TUESDAY, JANUARY 19, 2021**

Meeting called to order at 9:02. Those present are Commissioner Clark, Commissioner Young, Chairman Hancock, Prosecutor Mark Taylor, Emergency Management Rebecca Squires, Clerk Colleen Poole; Audrey Moon is clerk of the board. Pledge of Allegiance led by Commissioner Young. Prayer offered by Chairman Hancock.

DUE TO COVID-19 COMMISSIONER MEETING WILL BE HELD IN PERSON OR ON ZOOM.

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PROSECUTOR – MARK TAYLOR

- **TEMPORARY DEPUTY PROSECUTOR – (ACTION ITEM)**

9:05:04 AM Mark said last week this was brought up. Was unsure of the workload. After having the week to review the courts are closed down due to COVID so feels they are okay with Gus. For now they are okay and will be able to make it until their second deputy comes aboard.

- **LEGAL COUNSEL: EXECUTIVE SESSION IC 74-206 - FOR PERSONNEL, HIRING CONSIDERATION, EMPLOYEE EVALUATION AND COMPLAINTS (1)(A) & (B), DELIBERATIONS ON LABOR NEGOTIATIONS OR PURCHASE OF PROPERTY (1)(C), TO CONSIDER EXEMPT RECORDS FROM DISCLOSURE (1)(D), TO CONSIDER MATTERS OF TRADE OR COMMERCE (1)(E), OR PENDING LITIGATION (1)(F) – (AS NEEDED)**

9:06:07 AM Mark does not have anything for executive session.

ELECTIONS – HOLLY RICKS

- **POLLING LOCATIONS FOR MARCH 9 ELECTION – (ACTION ITEM)**

9:06:24 AM Chairman Hancock said it looks like they have a March 9, 2021 for a levy election for Ririe School District #252 and West Jefferson #253. Precincts in #252 for Clark this will be a mailed out ballot. Then have the Ririe Senior Citizen Center at 395 Main Street in Ririe. Absentee voting will be available at Jefferson County courthouse. Next have the West Jefferson levy election precinct locations are at the Hamer Elementary School at 2450 E 2100 N in Hamer. At the Montevieu LDS Church at 2413 N 800 E in Montevieu. Terreton Senior Citizen Center at 1075 E 1500 N in Terreton. Absentee voting will be available at the courthouse. Holly said that is correct. Colleen adds the mail ballot are available if they have less than 125 voters in that precinct.

9:08:18 AM **Motion by Commissioner Clark to approve the March 9, 2021 polling locations for levy election for Ririe School District #252 and West Jefferson School District #253. Second by Commissioner Young. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

CLERK – COLLEEN POOLE

- **RESOLUTION NO. 2021-17- ADOPTING RECORD RETENTION MANUAL – (ACTION ITEM)**

9:08:59 AM Colleen said that the IAC manual was done in 2012. This was adopted in 2012 but they did have a change to the schedule in 2013 that was not readopted. So legal counsel has advised to readopt. Chairman Hancock reads Resolution Adopting the IAC Records Retention Manual and Records and Retention Schedule. "Whereas, the Board of County Commissioners met at the Jefferson County courthouse annex on Tuesday, January 19, 2021, pursuant to designated published time; and Whereas, the Board has previously adopted the IAC Records Management Manual and Records Retention Schedule dated 2012 as Jefferson County's records retention policy and schedule; and Whereas, the IAC updated the Records Retention Schedule in July 2013; Therefore be it resolved, pursuant to said hearing, the Jefferson County Board of County Commissioners hereby adopts the updated IAC Record Retention Schedule dated July 2013 as the policy for record retention in Jefferson County."

9:11:52 AM **Motion by Commissioner Young to approve resolution no. 2021-17. Second by Commissioner Clark. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

- **RESOLUTION NO. 2021-18 – DESTRUCTION OF RECORDS – (ACTION ITEM)**

9:12:21 AM Colleen said they have destruction of records. Added the language on the adoption of the policy can change the date. Chairman Hancock reads resolution. "At a meeting of the Board of Jefferson County Commissioners, State of Idaho, on the 19th day of January, 2021, the following was adopted to wit: Whereas, Idaho Code 31-871 requires the Board of County Commissioners to authorize destruction of records that are not required to be retained as permanent records and that have met the minimum retention period provided by the County's record retention schedule and are no longer required by law or for County business; and, Whereas, the County Clerk has proposed for destruction certain records that have exceeded their minimum retention; and Whereas, approval for the destruction of the below listed records has been obtained from the Idaho Historical Society, when required, and Whereas, the destruction is in accordance with the IAC Records Management Manual and Records Retention Schedule adopted by the County Commissioners on January 19, 2021, and Be it therefore resolved that the Board of Jefferson County Commissioners hereby authorizes the immediate destruction of the original paper records and that such destruction occur under the supervision of the Board of Jefferson County Commissioner's Clerk. 2015 Payroll records and employee files terminated more than five years ago."

9:15:00 AM **Motion by Commissioner Clark to approve resolution for destruction of records no. 2021-18. Second by Commissioner Young. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

HUMAN RESOURCES – REBECCA SQUIRES

- **PERSONNEL POLICY AMENDMENT – (ACTION ITEM)**

[9:16:04 AM](#) Rebecca said she has persistence on this. Has a page from the emergency closure policy they adopted back in March. Commissioners read through pages.

[9:20:06 AM](#) Rebecca said the policy was adopted in March when the emergency measure came in to address possible closures due to the pandemic. Are on the downward slope they are not out of the woods yet. Looking at May for the general population to have the vaccine. Thinks they have weathered the worst of this but asked what they would like to do.

[9:21:45 AM](#) Commissioner Young said they as a county approved five days then this has fifteen days. Rebecca said they are not required to offer any leave at this point. This was put into place before that Federal Law was offered. This fifteen days was if they closed the workplace they would pay fifteen days. Commissioner Clark said this is if an elected official needs to close their office. Rebecca said if they had an outbreak of several employees and closed the office for multiple days his policy would allow for that closure. Chairman Hancock thinks they already have the other policy with the five days. Do they really need to do this? Rebecca said this is local policy. If an office does have an outbreak of several employees at the same time do they want to extend any complimentary leave if an elected official closes their office. Chairman Hancock said they have the option in some places to work at home. Chairman Hancock does not see the need. Commissioner Young does not either. Chairman Hancock thinks they should do a motion to end this policy today.

[9:25:24 AM](#) **Motion by Commissioner Young to sunset the Novel Coronavirus 19 Addendum five as of January 19, 2021. Second by Commissioner Clark. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[9:26:22 AM](#) Rebecca goes to page twenty-six under section I. Military Leave. Section one the goal of this section is to assert Jefferson County's intention to be in compliance with the state and federal laws pertaining to those in the National Guard or in the Reserve in the US Armed Forces. Wording changes "Unpaid military leave of absence will be granted to an employee in accordance with Idaho Code §§ 46-407 and 46-09, and the Uniformed Services Employment and Reemployment Rights Act (USERRA)." Pointing employees to the state and federal laws. They took out military leave for the purpose of training. There are also call ups for operational duties. Says if these laws apply they adhere to them. Chairman Hancock said they have called up the Guard to help during the inauguration from twenty-five states to guard the Capitol. Commissioner Young said this is them following the law. Rebecca said that section two is new says there are certain benefits and protections that the law extends. Goes over their privileges and points to two other state codes. This is to assist elected officials and department heads to look at these laws and determine if these apply.

[9:29:37 AM](#) Mark does not see anything. Commissioner Clark asked if someone was called on active duty for three months does the county keep paying this or do they take this over. Rebecca would research on a case-by-case basis. Do not have to pay the employer portion but the employee would have the opportunity to pay the employer portion as well. Would retain those benefits. Depends if they qualify for military insurance. Chairman Hancock said if they want to continue their benefits then they pay the employee portion of the benefits. Colleen asked if this is benefits only. Rebecca said correct they are not obligated to pay. In some cases they may have a pay differential. Would have to research the law but may get a differential.

[9:31:34 AM](#) **Motion by Commissioner Young to approve the changes to military leave and stay in accordance with Idaho Code §46-407, §46-409, §46-216 and §46-225 as of January 19, 2021. Second by Commissioner Clark. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[9:32:51 AM](#) Rebecca said when an employee leaves the county this is spelled out in the policy how much leave they are paid out. Change is "However, employees serving in the National Guard or as reservists in the armed forces of the United States, who anticipate active duty orders may use up to four consecutive weeks of accumulated PTO immediately prior to commencing active duty." So if someone is going on a military leave of absence they are allowed four weeks. That run up to the deployments can be intense. This allows them the PTO if they have it available. Nothing in the law that requires this. Was proposed to extend this afterwards as well. Backed this down after discussion with legal counsel. Chairman Hancock said if the person has the leave and they want to take it does not have a big issue.

[9:35:46 AM](#) Mark said this is a policy decision. Whatever they put in their personnel policy becomes binding. This is kindness they are not required to do this. Chairman Hancock said they will lose them for a period of time with active duty. Commissioner Clark asked how much PTO they can have. Chairman Hancock said this maxes out at 480 hours. Realizes this is a kindness policy. If they have this and need this feels they should allow them to use this since they have accrued the time.

[9:37:34 AM](#) **Motion by Commissioner Clark to approve on section three Separation from Employment to add that National Guard and Reservists may use up to four consecutive weeks of PTO prior to commencing active duty. Second by Commissioner Young. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[9:38:17 AM](#) Rebecca said that they decided not to change things they had discussed previously. Do encourage the board and the other elected officials to work together on these policies.

COMMISSIONERS

- **APPOINT CHAIRMAN OF THE BOARD – RESOLUTION NO. 2021-16 – (ACTION ITEM)**

[9:39:52 AM](#) Commissioner Clark reads resolution. "Whereas, it is necessary at this time that a Chairman of the Board be selected. Now, therefore be it resolved that a motion as made by Commissioner Clark, seconded by Commissioner Young to appoint Commissioner Hancock as the Chairman of the Board of Jefferson County Commissioners effective this 19th day of January, 2021; The motion passed an voting was unanimous, as taken by roll call vote on this 19th day of January, 2021."

[9:40:52 AM](#) Motion by Commissioner Clark to appoint Commissioner Hancock as chairman and to approve resolution #2021-16 for appointment of chairman. Second by Commissioner Young. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

- APPROVE CERTIFICATES OF RESIDENCY – (ACTION ITEM)

[9:41:59 AM](#) Motion by Commissioner Clark to approve certificates of residency for the College of Eastern Idaho for Alysa Love and Ashley Outhenthapanya. Second by Commissioner Young. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

- APPROVE COMMISSIONER MEETING MINUTES – (ACTION ITEM)

[9:49:21 AM](#) Motion by Commissioner Young to approve commissioner meeting minutes from December 21, 2020 with noted changes. Second by Commissioner Clark. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

[9:49:58 AM](#) Recess until 10:00

Open session 10:02

PARK & RECREATION – MICKEY EAMES

- PLAYGROUND EQUIPMENT – (ACTION ITEM)

[10:03:04 AM](#) Mickey provides the estimate. This is the same company as before. This is \$2,000 more due to the swing they are putting in costs more money. Chairman Hancock said this is \$16,791.93. Mickey provides pictures of what this will look like. Rocky Mountain Power has given her \$1,000. May come and see if she can get some donations from around town. Would then like their permission to make up the rest of this. Chairman Hancock said they are still looking at the water. Only have \$5,000 will need to come up with \$11,000. Mickey was wondering if the county could buy this then she could make payments back to the county. Wonders if this could be an option. Chairman Hancock said the slush fund they have is the contingency fund. Mickey wanted to see if that could be a possibility. Then it would be easier to finish the playgrounds. Commissioner Clark asked if this water deal is for sure. Chairman Hancock thinks so they are out of Salt Lake. Needs to sit down with the attorney to draft up a legal offer. After the meeting will get with Mark and bring him up to speed. Commissioner Clark thinks they may want to get that taken care of first. Mickey is asking now because this will go up. This would have two playgrounds at the shelters. This helps to have something to do. Chairman Hancock asked if they could break this up and do a piece of equipment at a time. Mickey said this is prepped for the new swing set. Easier to get this all done at once. Not super rushed on this yet. Chairman Hancock said they need to make the water a priority. Commissioner Young said they do not want to miss this. Mickey said she would like to look at the other option. Chairman Hancock said they would need to discuss this. Asked where they are budget wise. Colleen said they have \$132,000 in the cash account. Mickey said that she was going to go out to the community for donations. Hopefully can get a few thousand in donations.

- RATE INCREASE – (ACTION ITEM)

[10:10:31 AM](#) Mickey goes over rates from the surrounding area. Right next to them shows what is charged. Right now at the lake can have three items per site. Weeping Willow in Rexburg is \$30. Lake Side is \$43 for four people and each additional person is \$3. Holiday and special events they add \$5. Snake River in Idaho Falls is \$52 plus taxes. Snake River Hideout in Idaho Falls is \$56. Special events are \$5 more. Sugar City RV Park which is just gravel is \$35. Juniper is \$25 plus tax. 7N Ranch is \$38 plus tax. Palisades RV is \$44 for two people with an additional \$2 per person and \$5 for each additional car. West Yellowstone Resort in Ashton is \$40 on weeknights, \$50 on weekends and \$60 on holidays. This gives an idea of the area around them.

[10:12:35 AM](#) Mickey is proposing the increase. On the double RV will go from \$40 to \$45. Single RV sites from \$20 to \$30. Shelters from \$20 to \$25. Single tent sites will be the same at \$15. Group tent sites from \$25 to \$30. The day pass will go up \$3. Annual pass will stay the same. Holiday and camping will do an increase as well. Get such an abundance of people. Independence for vendors will go from \$50 to \$75. Summer vendors will go from \$350 to \$400 for the summer. Chairman Hancock said his only concern is the day auto pass this is a large increase to the day access. Mickey said that they she has had input that they cannot believe the cost. Chairman Hancock said they have been cautioned to make sure this is not a profit center. Mickey said the next page goes over how much it costs out there and what last year's profit was. Shows the total from last year and what is budgeted this year. The maintenance has gone up for garbage pickup and the porta potty prices have gone up. The power has gone up a ton. Keeping up with the mess just costs money. Commissioner Young said they have stayed with a ten to twenty percent increase on everything but the tent site and day pass. Thinks they should raise the tents as well. If they do twenty percent that would be \$18 for the tent and then have the day pass at \$6. Mickey said that is why she brought this to them. Commissioner Young said this should bring in extra. Chairman Hancock said this would give them money to do the upgrades. Mickey said so \$6 on the day passes and \$20 on the tent passes. Commissioner Young said \$18 that is a twenty percent increase.

[10:18:40 AM](#) Motion by Commissioner Young to publish the proposed rates for Jefferson County Lake for fee increases. Second by Commissioner Clark. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

PUBLIC WORKS – DAVE WALRATH

- WRITTEN DECISION – 2100 E ROAD VALIDATION – (ACTION ITEM)

[10:19:34 AM](#) Dave has gone through this. Had legal review this and had fixed some errors. Thinks the validation document is ready for approval. Chairman Hancock did send in that Alex was not an owner. Will be able to present this the Department of Commerce next Monday. Thought they may do this right here. Chairman Hancock said they had the hearing this is the written decision.

[10:21:33 AM](#) **Motion by Commissioner Young to approve the written decision on petition of validation hearing on 2100 E. Second by Commissioner Clark. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

- **UPDATE**

[10:22:12 AM](#) Dave provides photos from County Line Road accident where a vehicle ran into their bridge. Does not think there was any injuries. Did not do the bridge abutment any good. Chairman Hancock said they destroyed the phone line. Commissioner Young said some of the concrete survived. Dave said this will be \$40,000 to \$50,000 to fix. Will be an insurance claim. Dave said they estimated them going at 65 mph. Chairman Hancock said that he cracked the bridge pretty bad. Took all of the guardrail out. Commissioner Young asked if they will have to re-pour this. Dave said this will have to be cut out. Has a case number but not a police report yet. Commissioner Young is surprised there wasn't any injury. Dave said most guys are hauling cinders today. Had some sanders out over the weekend. Going to Mountain Home tomorrow with Ted Goodier to view a demonstration of a shredder. Discussed this previously about shredding tires instead of paying to dispose of them. Paid \$5,200 to dispose of tires last. If they can use this to shred the tires they can use them at the landfill. Other than that it is pretty boring with the weather. Chairman Hancock said they had a technique to use tires in the asphalt as a binding material. Not sure if this failed or not. Dave said that landscapers use this as mulch but have to get this pretty small. Chairman Hancock said they were using this in the road base. Dave said they still do this some. Will report back next week with his findings.

[10:27:50 AM](#) Commissioner Young asked on the crushing. Dave said they will open the bids next Monday at 1:00. Then at 2:00 could Zoom in and meet with the Department of Commerce.

PLANNING & ZONING – JENNY KERR – ERIK STOUT

- **SUMMER FIELD ESTATES DIVISION NO. 1 – FINAL PLAT – (ACTION ITEM)**

[10:29:51 AM](#) Commissioner Young recuses himself being closely related.

[10:30:14 AM](#) Jenny has the Summer Field Estates plat. Chairman Hancock has some questions read through the comments from the meeting they had several issues that needed to be resolved. Have they been resolved? Talked about an irrigation plan. Did not see this but did not see the new plat to see if this was addressed. There were two things they talked about. Need to make sure these are put in before they approve them. Commissioner Clark is reading through this to see. Jenny said on the written decision this was the zoning. Chairman Hancock asked why other things that were discussed in the minutes put into the written decision. Jenny said she puts on the written decision what they put in their motion. Chairman Hancock said this may have been discussion then.

[10:33:53 AM](#) Commissioner Clark said this will have matching landscape going to be a good looking subdivision. Will most likely water their lawns out of a well other than lot one and lot seven that have existing irrigation ditches and is noted on the plat.

[10:34:56 AM](#) Kody Thompson with Thompson Engineering said the existing irrigation is not in the notes but noted the existing irrigation ditches on the plat. Chairman Hancock said they apply and follow the infrastructure and irrigation. Specifically says they need an irrigation plan. Need to provide evidence of ownership of water. Jenny said this was before the adoption of the subdivision ordinance being passed. Chairman Hancock said Mr. Albertson wanted to follow the current subdivision ordinance. Jenny said this was the previous one. Commissioner Clark said this was from December 10. Kody thought they turned in an irrigation and landscape plan with this. Chairman Hancock said they are trying to make sure everything is taken care of and is there. Do not want anyone to come back on this. Need to have advanced septic systems. Kody said they have high sub from Vincent with Public Health so they have to have the advanced systems. Knows they have high sub so did not dig the test holes. Jenny is not finding the information in the packet. Commissioner Clark said other than the water right what else. Chairman Hancock said they need the landscape plan. They have a clustering permit.

[10:40:06 AM](#) Kody said they do the landscape and irrigation plan together does have this on his phone. Has a note that the landscaping is a minimum of twenty-five feet and shows the existing irrigation. This has been in his office for a while. Chairman Hancock thinks they need to go back and make Mr. Campbell put specific inches on the plat. Thinks they need to have this on there. Could do this next week. Jenny asked if they could have that to her by Thursday. Kody said he would need to get ahold of the Boyce's to see how much water. Chairman Hancock said he will need a certificate. Then attach the landscape plan to the plat. Made a commitment to the Department of Water Resources to really watch these things.

- **UPDATE**

[10:42:44 AM](#) Erik said they have more than doubled permits from this time last year. Have taken in seven more permits this morning. Three within the city and the others were out in the county. Have four others that were missing a few things that were submitted last week.

SOCIAL SERVICES – AMY JOHNSON

- **EXECUTIVE SESSION 31-874 & 74-206 (D) – RECORDS EXEMPT FROM DISCLOSURE**

[10:45:10 AM](#) Colleen said they did not have anything.

- **APPROVAL OR DENIAL OF INDIGENCY APPLICATION – (ACTION ITEM)**

[10:45:10 AM](#) **Motion by Commissioner Young to adjourn at 10:45. Second by Commissioner Clark. All in favor – aye. Motion passed.**

Chairman of the Board

Date

Clerk of the Board

Date

County Clerk

Date