

**JEFFERSON COUNTY COMMISSIONER MEETING MINUTES
FEBRUARY 22, 2021**

Meeting called to order at 9:03. Those present are Commissioner Clark, Commissioner Young, Chairman Hancock, Prosecutor Mark Taylor, Emergency Management Rebecca Squires, Extension Office Lorie Dye, Public Works Dave Walrath, Planning & Zoning Kevin Hathaway, Treasurer Kristine Lund, Park & Recreation Mickey Eames, Maintenance Travis Thompson, IT Garn Herrick, Sheriff Steve Anderson, Probation Tammy Adkins, Clerk Colleen Poole; Audrey Moon is clerk of the board. Pledge of Allegiance led by Dave Walrath. Prayer offered by Mark Taylor.

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

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COMMISSIONERS – ELECTED OFFICIALS – DEPARTMENT HEADS

• **STAFF MEETING**

9:04:53 AM Extension Office Lorie Dye said they do have a lot going on. 4-H is in full swing. Doing food preservation virtually hopes to be able move to in person classes soon. Chairman Hancock asked on the vehicle for Extension Office. Lorie said Joseph got the bid Friday but was too late for the agenda. The Dodge is about \$1,500 less.

9:06:04 AM Public Works Dave Walrath said the guys are out looking for drifts. About a mile and a half from finishing the Egin-Hamer Road. Solid Waste does have an issue with Bonneville coming to grind their brush. Their machine is broke down until mid-summer so they may have to bid this out.

9:07:24 AM Treasurer Kristine Lund said even though has heard the comment that they are seasonal they have a lot going on. Working on mobile home distrains. The numbers are down across the board. For 2017 they are down about thirty percent. This is a strenuous process getting these ready for the board. Does not want to sell anyone's home. Will be working to get the landfill and Road & Bridge online with credit cards and bring that to a future meeting.

9:09:38 AM Extension Office Mickey Eames said she got the sponsorship letters out last week. Hoping to have some donations for the fireworks. Will be glad when the hearing today is over.

9:10:18 AM Planning & Zoning Kevin Hathaway they are busy have heard this before. Updating their zoning ordinance. Moving forward with Municode and other updates they have been working on. Took some training on Friday. Staff trained on taking credit cards and this will be a welcome change for them. Tyson has passed his inspection test so he will be able to help with inspections. On track this month to have an all-time high.

9:12:02 AM Maintenance Travis Thompson finally got most of the electrical issues taken care of. The unit in the jail kitchen had this redone. Waiting on the duct work for the exhaust fan. Been keeping up on the snow. Commissioner Young asked on the heater in the kitchen. Travis said this is working and no one has complained yet.

9:12:58 AM IT Garn Herrick said they have not had too many hiccups lately. The latest phishing attempt had six individuals click on these. This just lets them learn from their mistakes. The overall click rate for Jefferson County is only 4.4 percent. Average is twenty-eight percent in other counties. These are sent to every county in the state.

9:14:47 AM Sheriff Steve Anderson said they are at 927 calls for service already this year. Had another suicide this weekend. The detectives are on three officer involved shootings with the critical incident team right now.

9:15:40 AM Probation Tammy Adkins does not have a lot they are working with the courts hoping they will open the courts back up. Will start some mediation with jury trials. Still out a few months on having the doors opened back up.

9:16:15 AM Emergency Management Rebecca Squires said from the numbers for Jefferson County they have thirty active cases right now. Currently have two hospitalized and have lost twenty-one people within the community. They no longer have the mask mandate but the Board has asked they keep wearing these in these situations. Still in the 65+ bracket for vaccinations. This is a huge demographic in the state. Lorie asked if they will arrange for vaccines here. Rebecca is still waiting on guidance on county employees. They did state employees but not local government. Would help to know what the interest is. In some groups there has been very little interest in vaccinations. Do have a Local Emergency Planning Committee meeting this week they will be discussing mitigation. The focus is on mitigation and how they get money to keep the community safe. Will have an Emergency Management Conference on March 4th and 5th. On the HR side it is time for evaluations again. Working on the salary and administration policy will be sending this out. These changes will be bringing this more in line with the step & grade. Lorie asked on the evaluations. Rebecca said usually the end of April for the budget process.

9:21:35 AM Prosecutor Mark Taylor said the staffing they are closer to being fully staffed. The second deputy has been accepted by the Idaho State Bar and will be testing this coming Thursday. Now the only other issue is housing. The home they were looking at fell through. Are looking at a March 15 start date. The office has put in place some protocols off of statutes on how they investigate child abuse cases and neglect. All of the Sheriff's deputies have been trained on these new protocols. Hoping this will bring forward better investigations.

9:22:59 AM Public Defender John Stosich said not too much happening here. Received a letter from Scott Cannon who is an attorney in Blackfoot apparently there has been a house bill being kicked through committee to implement a statewide public defender's office. As he read through this it does not change what the Public Defense Commission has already done. Codifies this as a state wide agency with district representation. Mr. Cannon is not going to recommend this. Also is close to finalizing his submission to be added to the Death Penalty Capital

Roster. Has support from four Judges and was requested by Judge Watkins to do this. Confirmed that he does not have to accept any cases if they choose to limit this to just Jefferson County. Feels this is a positive move for the county.

[9:25:46 AM](#) Clerk Colleen Poole said the budget is only a couple months away. There is a lot of legislation that will affect property taxes and elections. They are still watching what will be happening within the courts. They are one of the few counties that can have jury trials starting March 1.

[9:26:32 AM](#) Commissioner Clark said they have been watching Senate Bill 1108. Appreciate everything that they do.

[9:27:01 AM](#) Commissioner Young said that he is grateful to be here. Had been down in Arizona where they are not holding schools due to COVID. Bottom line is they have kept school in session this year. This is great for the state and the county.

[9:28:19 AM](#) Chairman Hancock said that Senator Burtenshaw has been unable to attend in Boise so Senator Jeff Siddoway has went to Boise helping represent them. Is still there this week. Does a good job for the county. Senate Bill 1108 is a property tax cap will have some effect on the county. In his discussions with the legislators is they put a cap on the property tax. Feels they are not addressing some of the issues with school funding. Have a few other issues that have a possible impact on the county. Have issues with transportation. Get funds from fuel tax. Have listened to a lot of different things that have been suggested since he sits on the Transportation Board. Feels if they were to look at a percentage of the costs could use the fuel tax since this is a direct cost. Last time this was raised it was \$0.07. Could use an additional percentage on this. If anyone has a chance to talk to the legislators about this so far has the biggest fight from Representative Hanks. State has 1,320 miles of paved roads within District 6. County has over 800 miles with a much lower budget. Dave said the state gets sixty percent of the fuel tax while other entities split the forty percent. Chairman Hancock appreciates everyone being here. Is glad to see the COVID numbers going down. Hoping that the worst is behind us. Looking forward to a much better year.

SHERIFF – STEVE ANDERSON – CANCELLED

- **PERSONNEL ACTION FORMS – (ACTION ITEM)**

[9:37:00 AM](#) Chairman Hancock said the change was due to a retirement so these did not need to come before the board.

PUBLIC WORKS – DAVE WALRATH

- **OLDCASTLE PURCHASE ORDER – (ACTION ITEM)**

[9:37:24 AM](#) Dave said this is for the widening the bridges that they have discussed previously. Road & Bridge Supervisor Jerry met with John at Rocky Mountain Power. Rocky Mountain was looking to move just one pole but have decided it is best to move both poles. Chairman Hancock said they want to get this done before the water is in. Dave said they will be working on this since it's urgent.

[9:38:58 AM](#) **Motion by Commissioner Clark to approve purchase order #2021-0009 for Oldcastle for \$45,846. Second by Commissioner Young. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[9:39:46 AM](#) Dave said that Oldcastle has agreed to the county's terms and conditions.

- **LEONARD PETROLEUM EQUIPMENT PURCHASE ORDER – (ACTION ITEM)**

[9:40:16 AM](#) Dave said this is an additional fuel system out at Circular Butte. Will be the same key fobs and numbers. Leonard's have also signed our terms and conditions.

[9:41:13 AM](#) **Motion by Commissioner Young to approve purchase order #2021-0008 for Leonard Petroleum for \$11,159.55. Second by Commissioner Clark. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

- **PARAGON PROFESSIONAL SERVICES AGREEMENT – (ACTION ITEM)**

[9:42:10 AM](#) Dave said this agreement is for closure of cell two out at Circular Butte. This is the same agreement that they used for cell one. Mark did look at this and did have some issues. This is a cost benefit analysis and policy choice. If the need for the contract justifies the risks that is their call. On Paragon terms & conditions on reuse of documents. This leaves the work product with the engineer. They keep title to the documents. Something to be aware of. Regarding termination knows in the past felt they needed termination for convenience and law in case the allocation of funds are not there. Neither of these are in this agreement. Allows for termination within thirty days. As far as risk allocation this is a sweeping risk allocation this basically waives the county's rights for errors or omissions. This is quite different where they usually ask they indemnify for what happens in case of their mistakes. They are waiving this on their liability. Chairman Hancock said they are only liable for the amount of the agreement. Mark said that is correct they are only liable to what they have been paid. Chairman Hancock said they have a background since they did cell one. They just need to design and do the testing to have the amount of cover and slope requirements. Chairman Hancock said the refusal of documents is an issue. Commissioner Clark asked if they get a copy of the work. Chairman Hancock said they would but they still own the rights. Mark said they give the county a license but they can take this back.

[9:49:08 AM](#) Dave said engineers are not subject to the same laws. Chairman Hancock said this is a service. Dave is not sure that is that concerning. Chairman Hancock said the reason may be they do not want anyone to take their design and copy what they have done on other projects. That is probably why this is put in there. Feels they understand the conditions and concerns.

[9:52:20 AM](#) **Motion by Commissioner Young to approve the Professional Services Agreement with Paragon Services. Second by Commissioner Clark. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

- **JUB PROFESSIONAL SERVICES AGREEMENT – (ACTION ITEM)**

[9:53:35 AM](#) Dave has a police report from Bonneville County for the bridge that was hit. This will be covered on the contractor bonding insurance. Working on getting everything in order. Had JUB go and look at the damage and come up with a plan to fix this. Will require a lane closure for a month. They will use portable signal lights. Have to have twenty-eight day cure on the bridge. Not to exceed cost is \$4,600. Their estimate for repair is \$3,207. Have signals included in this. The guardrail was already ruined prior to the accident. Will have to have this bid out will need other contractors to look at this as well. Chairman Hancock thinks they have done quite a bit of work already. This is also a professional

services agreement. The outside insurance company should pay for this. Dave contacted their insurance company with the police report and photographs.

[10:00:22 AM](#) Mark said just a few areas where this differs from their terms and conditions. This is a policy decision if they proceed. On warranties in bold JUB makes no warranty on behalf of them or others. Something to be aware of. The default is that there are implied warranties when they are paid for services. A lot of times this shows they are competent. They are waiving this but it is only a \$4,000 agreement. This also includes limit licensing on the documents. Again this is also lacking the termination clauses. Given the timeframe and amount not sure they are concerned on this. Then on risk allocation this limits the total liability on what they have been paid. This goes back to their example from earlier. Chairman Hancock said engineers do like to limit their liabilities. Makes no warranty expressed or implied. They know what the liability is and are comfortable with their capabilities. Dave said he is comfortable has known him for years. Feels comfortable. The damage to the structure is not part of the super structure of the bridge. This is the end it is what attaches to the guardrail. Chairman Hancock said they do not have any damage to the deck. Dave said the insurance company will be on the hook for this. Chairman Hancock appreciates Mark looking at this. Commissioner Young said this is a timely and costly repair.

[10:05:15 AM](#) **Motion by Commissioner Clark to approve JUB Engineering Professional Services Agreement not to exceed \$4,634. Second by Commissioner Young. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

- **RESOLUTION #2021-22 – DISPOSAL OF COUNTY PROPERTY – (ACTION ITEM)**

[10:08:04 AM](#) Chairman Hancock reads resolution. "Resolution Authorizing Disposition of County Property. At a meeting of the Board of Jefferson County Commissioners, State of Idaho, on the 22nd day of February, 2021 the following resolution was adopted to wit: Whereas, Jefferson County Standard Operating Procedure required the Board of County Commissioners to authorize the sale of County Property; and, Whereas, the Public Works Administrator has proposed for the sale at auction of property that is no longer in working order or not appropriate for Jefferson County use. Be it therefore resolved that the Board of Jefferson County Commissioners hereby authorized the sale at auction of said property listed below: 1988 GMC ½ ton pickup, 2002 Chevrolet 2500HD pickup, two AMT 394F-95 Self Priming Sewage trash pumps, and one Auto crane 5005-eh Truck Mountable Crane that is damaged." Asked if they have minimums. Dave said he has reserves on these. Chairman Hancock said they tried to sell some of this before. Commissioner Young said they have tried to get rid of the trash pumps. Dave said the 2002 Chevrolet was wrecked in the accident. The 1988 GMC is a truck Road & Bridge has had for a long time it barely runs. Was going to put \$100 reserve on the trash pumps. Had \$500 on these before. Commissioner Clark said it is good to get things cleaned up.

[10:10:36 AM](#) **Motion by Commissioner Young to approve resolution #2021-22 for disposal of county property. Second by Commissioner Clark. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

- **UPDATE**

[10:11:55 AM](#) Dave said the Egin-Hamer Road will be done in a few days. Chairman Hancock thinks that is good will have to drive out and look.

PARK & RECREATION – MICKEY EAMES

- **PUBLIC HEARING – RATE INCREASES – RESOLUTION #2021-25 - (ACTION ITEM)**

[10:12:43 AM](#) Chairman Hancock reads resolution for the fee increase for Jefferson County Lake. "At a meeting of the Board of Jefferson County Commissioners, State of Idaho, on the 22nd day of February, 2021 the following was adopted to wit: Whereas, The board of County Commissioners held a public hearing for the fee increases in the Parks & Recreation Department on February 22, 2021 in the Commissioners' Meeting Room 210 Courthouse Way, Rigby, Idaho; and Whereas, the fee hearing was held in accordance with Idaho Code 63-1311; and Whereas, the public notice of the hearing was duly published in the Jefferson Star on February 10, 2021 and February 17, 2021; Be it therefore resolved that the Board of Jefferson County Commissioners hereby authorizes the increase for Single RV campsites from \$25 to \$30; Double RV campsites from \$35 to \$40; Shelter Reservations from \$24 to \$25; Single Tent sites from \$15 to \$18; Group Tent sites from \$25 to \$30; Day Passes for automobiles from \$5 to \$6; Independence Vendors from \$55 to \$75; and Summer Vendors from \$350 to \$400, effective immediately. Approved and adopted this 22nd day of February, 2021." They have a sign-up sheet if anyone wishes to speak. No one has signed up. Asks again if there is anyone that would like to speak. **(Exhibit A)**

[10:14:43 AM](#) Rebecca Squires speaks up that she did not sign up but would like to take some time out of being a county employee to speak as neutral. Live at 322 N 3200 E in Lewisville, Wants to publicly commend the good work that Mickey does out at the lake. The reason she would hesitate on the fee increase does not think a case has been made on the necessity. They have looked at fees from other campgrounds. Lacking a strategic plan or what the future expenditures are so is not sure what the money would be used for or why this is necessary. Some of the other campgrounds had to look at the costs of building campgrounds which have to be paid by user fees. Anyone who owns an RV pays a fee when they register that RV so the people using the park have already paid for this. That is why in the terms of the grants they need to keep the costs as low as possible. Maybe there is an expenditure that is coming. Does not think that the case has been made that an increase is necessary. Is neutral to the increase but thinks more groundwork should be done. It is hard to raise a family and keep things at a reasonable cost.

[10:18:00 AM](#) Chairman Hancock knows one big cost was the cost of electricity. This was a lot more. Commissioner Young thinks the overall yearly cost they were almost at what they were spending.

[10:19:01 AM](#) Mickey said they have done research into this. The electrical cost has gone up about three times since Rebecca ran the lake. As well as garbage and maintenance costs. They need to be out there more to keep this cleaned up. Electrical has been huge and is the driving force of the fee increase.

[10:20:44 AM](#) Chairman Hancock asked if there is anyone else here that would like to speak. Mickey had brought this before them and they did reduce the price on the gate fee.

[10:21:42 AM](#) Chairman Hancock opens this for discussion. Commissioner Young said they looked at what they spent and that they could be over budget. Does not want the county subsidizing this. Commissioner Clark agrees this is for the cost of operating the lake. The other cost is the porta potties out there. Chairman Hancock said they have closed the hearing and was having their discussion. Asked for anymore deliberation.

[10:23:50 AM](#) **Motion by Commissioner Young to approve resolution #2021-25 for the rate increases at Jefferson County Lake. Second by Commissioner Clark. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

- **RESOLUTION #2021-23 – DISPOSAL OF COUNTY PROPERTY – (ACTION ITEM)**

[10:25:15 AM](#) Mickey wants to sell the backhoe wants to get something smaller. Chairman Hancock reads resolution. “Resolution authorizing sale or replacement of personal property. At a meeting of the Board of Jefferson County Commissioners, State of Idaho, on the 22nd day of February, the following was adopted to wit: Whereas, Idaho Code 31-827 requires the Board of County Commissioners to authorize the sale or replacement of personal property, which is obsolete, worn or damaged so as to require replacement; and, Whereas, the Parks & Recreation Department has proposed for sale or destruction, the below listed personal property, that is of no further use to the County; Be it therefore resolved that the Board of Jefferson County Commissioners hereby authorize the immediate sale or replacement under the supervision of the Jefferson County Parks & Recreation Superintendent. 1995 410D John Deere Backhoe/Front End Loader. Tires still have life left on them. In good/fair condition, serviced regularly and repaired as needed. Has 8,894.6 hours. Approved and adopted this 22nd day of February, 2021.” Asked on the reserve. Will not read this out loud because they should be able to get more. Mickey said it is just too big they like using a smaller tractor.

[10:29:23 AM](#) **Motion by Commissioner Clark to approve resolution #2021-23 for disposal of county property. Second by Commissioner Young. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

SHERIFF’S OFFICE – DEPUTY ALLEN FULLMER

- **RECREATIONAL BOATING SAFETY GRANT AGREEMENT – (ACTION ITEM)**

[10:31:40 AM](#) Deputy Fullmer has the Recreational Boating Safety Grant with Jefferson County and Idaho Department of Park & Recreation. The allocations are up. This is a formula using acreages and other things. The coast guard allocates money to Idaho to offer boating safety. The Sheriff’s Offices are enhanced to do inspections on the boat. Allocation for this year is \$6,950 the county has to match this with fifty percent. This comes from boater registration and waterways account. Checked with the Clerk’s Office and have a little over \$4,000 in the boater registration. Chairman Hancock asked what this will be used for. Deputy Fullmer said they can use this for salaries, equipment and teaching classes on boating safety. Chairman Hancock said this is the same agreement as every other year. Mark said he has reviewed and did not see any issues with this. Deputy Fullmer said they have a new boat and personal water crafts. Had a grant for the boat and purchased new water crafts with this money last year. Chairman Hancock asked on the other boat. Deputy Fullmer said they got a new windshield and was able to get a used motor from over in Boise. Need to add some equipment to this but have this available. Chairman Hancock asked the miles of river. Deputy Fullmer said about fifty-five miles. Also tasked with coverage at Jefferson Lake with the paddleboards as well as out at Market Lake. Have assisted other counties in the area. Chairman Hancock said the scuba equipment is covered too then. Deputy Fullmer needs the Commissioners signature and the Sheriff’s then will send this out for signatures.

[10:36:07 AM](#) **Motion by Commissioner Clark to approve the agreement with Idaho Department Parks & Recreation and Jefferson County for a grant for \$69,050. Second by Commissioner Young. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

- **RESOLUTION #2021-24 – DISPOSAL OF COUNTY PROPERTY – (ACTION ITEM)**

[10:37:53 AM](#) Chairman Hancock reads resolution. “Resolution Authorizing Sale or Replacement of Personal Property. At a meeting of the Board of Jefferson County Commissioners, State of Idaho, on the 22nd day of February, 2021, the following was adopted to wit: Whereas, Idaho Code 31-827 requires the Board of County Commissioners to authorize the sale or replacement of personal property, which is obsolete, worn or damaged so as to require replacement; and, Whereas, the Jefferson County Sheriff’s Office has proposed for sale, the below listed personal property that is of no further use to the County; Be it therefore resolved that the Board of Jefferson County Commissioners hereby authorize the immediate sale under the supervision of the Jefferson County Sheriff’s Office. 2007 Ford Expedition, 2011 Ford Expedition, 2011 Ford Crown Vic, 2013 Ford Inceptor Sedan, 2010 Ford Expedition, 2009 Ford Expedition and 2011 Ford Crown Vic. Approved and adopted this 22nd day of February 2021.” Deputy Fullmer said they have gone through their lifespan as patrol vehicles. These have over 200,000 miles. Life span is anywhere from five to ten years. Will put a reserve on these. Some of these have holes in the dash where equipment has been removed. Commissioner Young asked that they put the description on the bidding site. Chairman Hancock asked if they have replaced these vehicles. Deputy Fullmer said they have replaced these. They are not doubling up.

[10:41:03 AM](#) **Motion by Commissioner Young to approve resolution #2021-24 for disposal of county property. Second by Commissioner Clark. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

PLANNING & ZONING – KEVIN HATHAWAY – JENNY KERR – TYSON SCHWARTZ

- **RESOLUTION #2021-26 – DISPOSAL OF COUNTY PROPERTY – (ACTION ITEM)**

[10:42:30 AM](#) Chairman Hancock reads resolution. “A Resolution Authorizing the Disposition of County Property. At a meeting of the Board of Jefferson County Commissioners, State of Idaho, on the 22nd day of February, 2021, the following resolution was adopted, to wit: Whereas, Jefferson County Standard Operating Procedure required the Board of County Commissioners to authorize the sale of County Property. Be it therefore resolved that the Board of Jefferson County Commissioners hereby authorized the sale at auction of said property listed below. 2005 Ford Escape XLT.” Chairman Hancock asked if any other departments may be interested. Kevin said no one has asked him about it.

[10:45:05 AM](#) **Motion by Commissioner Clark to approve resolution #2021-26 for disposal of county property. Second by Commissioner Young. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

- **WRITTEN DECISION – WAZY COMMERCIAL PARK – (ACTION ITEM)**

[10:45:59 AM](#) Chairman Hancock said they had a question that was still outstanding was access on this road. Jenny said this is their written decision. Commissioner Young said they discussed that access two weeks ago.

[10:46:48 AM](#) **Motion by Commissioner Clark to approve the written decision for Wazy Commercial Park. Second by Commissioner Young. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

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

[10:47:39 AM](#) Jenny said this was brought before had an issue with the irrigation and the landscaping. Chairman Hancock said they put in irrigation comments. Commissioner Young asked if it says the canal. Chairman Hancock said he is not sure. In the future have them list the canal company.

[10:50:49 AM](#) **Motion by Commissioner Young to approve the final plat for Summer Field Estates Division No. 1. Second by Commissioner Clark. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

- **PROFESSIONAL SERVICES AGREEMENT – WILLIAMS ENGINEERING – (ACTION ITEM)**

[10:52:41 AM](#) Kevin got some additional information after putting this on the agenda. Would rather wait on adoption. Chairman Hancock said they will table this.

- **UPDATE**

[10:53:15 AM](#) Kevin said they are trending up. They have fifty-six permits waiting for approval. Do have a large number of permits they are taking in. Trying to keep this process moving as smoothly as possible. Have added Tyson who is now able to do inspections. Chairman Hancock said some of these are the same floor plans. Can speed up the review on these. Will see a huge increase of town houses. Kevin said this is out in Hailey's Creek. Chairman Hancock thought the roads were not in. Kevin said they platted last fall and have been working on the roads since.

- **PROPOSED SUBDIVISION MORATORIUM – RESOLUTION #2021-27 - (ACTION ITEM)**

[10:58:05 AM](#) Chairman Hancock will read through this resolution and will discuss this. Kevin said they have two members of their Planning & Zoning Commission present. Chairman Hancock reads resolution. "An Emergency Moratorium preventing further subdivision applications pending an update to Jefferson County Subdivision Ordinance. Be it ordained by the Commissioners of Jefferson County, Idaho; Whereas, Idaho Code §67-6524 allows the Board of County Commissioners to implement an moratorium upon finding that a plan, a plan component, or an amendment to the plan is being prepared; Whereas, Idaho Code §67-6523 allows the Board of County Commissioner to implement an emergency moratorium upon any abbreviated notice of hearing that it finds practical upon finding that an imminent peril to the public health, safety, or welfare requires the adoption of an emergency moratorium; Whereas, the governing board has found that the Jefferson County Subdivision Ordinance needs to be updated, and that approval of further subdivisions under an existing ordinance could present an imminent peril to the public health, safety, or welfare; Whereas, the County desires to adopt and emergency moratorium freezing all proposed subdivisions until such time as a revised and updated subdivision ordinance is adopted and in full force and effect; Now, therefore be it ordained by the County Commissioners of Jefferson County, Idaho, as follows: Section 1: In accordance with Idaho Code § 67-6524, all subdivision applications in Jefferson County. Section 2: Proposed subdivisions located within the boundaries of Section 1 above that have been approved, shall be exempt from this moratorium ordinance. Also, all property within the incorporated city boundaries shall be exempt from this moratorium. Section 3: This moratorium shall take effect immediately and shall be in full force and effect for 182 days (pursuant to I.C. §67-6523), or until such time that an updated subdivision ordinance is adopted. Any land use approvals or other permits for any subdivision within the above described area that are issued as a result of error while this interim moratorium is in effect are null and void, and without legal force or effect."

[11:01:06 AM](#) Kevin gives them some background. Came to their attention that there might have been a procedure they did not follow correctly. Pending resolution of this they are not sure which subdivision ordinance is in effect. Need to walk this back to look at things that may be more realistic. Chairman Hancock said they know that they have some concerned citizens. Have put together a public hearing to hear some concerns on the subdivision ordinance. Knows they have some issues that need to be addressed. Are just as concerned as the Planning & Zoning Commission is on the groundwater. Have areas within the county with very high water tables. Creates potential of polluting the groundwater. How do they approach this? This is the key when they go back and look at this. Example would be if they have groundwater within six feet the area would be required to have a sewer system if they have a certain amount of homes in the area.

[11:04:56 AM](#) Commissioner Young said that is the biggest concern with Planning & Zoning was groundwater contamination. Is not an expert in that field they may need to contact someone with the Department of Water Resources to give them better direction and so they know they are not outstepping their boundaries.

[11:05:18 AM](#) Commissioner Clark said he agrees but on the agenda they are here to talk about a moratorium. Is this something they want to do and move forward? Chairman Hancock said that is why he prefaced that. Commissioner Young said based on the fact that they could be doing something wrong. Does not think this will take 182 days. Chairman Hancock said they need to have imminent peril. Have not adopted any subdivisions right now that they need to stop. Talked about the fact they have a public hearing coming up. Could table further subdivisions until they hear further comments and are reviewed by Planning & Zoning. Mark said what he is proposing is what the moratorium will do but that the moratorium makes this legal. Any applications that come in they then have the legal background to say they are not considering these right now as opposed to tabling this. Commissioner Young said this could be tabled under the old ordinance too. Chairman Hancock is concerned on the 182 days. Commissioner Young does not think they need that long. Chairman Hancock thinks they need to bush this and thinks 90 days would be maximum. Kevin said the reason they have 182 days is because this is Idaho Statute. They will do this sooner. Mark said they have alternative language on a moratorium have either the 182 days or until such time that an updated subdivision ordinance is adopted.

[11:09:09 AM](#) Kevin said they are concerned on a specific portion of the ordinance. Would rather they stick with the code knowing they will not be dragging this out? This will be the time of year they get busy. Commissioner Young would rather see sixty days. Chairman Hancock invites the member of Planning & Zoning Commission up. They can speak to each other on ordinance changes. Planning & Zoning Chairman Warren Albertson agrees with Kevin and legal counsel. They are not saying they will drag this out for 182 days. Right now do not have good guidance on what they can do with plats that could be coming in. The 182 is within statutes. Chairman Hancock said as Commissioners would rather see sixty days to get things resolved. Kevin said they could add language that included an update or something but the language is in there as well if this is completed sooner. Chairman Hancock said they have in place the City of Impact Area that is different and has more stringent restrictions for subdivisions. Are they stopping everything within the area of impact area? This indicates a stop to all. Warren said when a subdivision comes that is within the City they have a special meeting. Everything that is in question is outside of the area of impact. Kevin said the Area of Impact states this. Chairman Hancock thinks they need that distinction. Wants to make sure they consider all aspects. Kevin said they address this in the Area of Impact. Warren said the subdivision ordinance does speak that they will follow the area of impact agreements. Chairman Hancock said they have that area covered. Lane Steele Planning & Zoning Commission does not want to force all of the building to be outside of the impact area. Chairman Hancock said they do not want this. Lane said that historically that has been the case. Chairman Hancock said as they readdress this could be graded on water quality. Lane is having family members calling him on those 84 wells and sewers on fifty acres. They do not want this. This is an example of what they are trying to avoid. Without putting things in place this continues to be proposed. Have to be careful to be lack in the county. Was affected by all of those subdivisions. Used to live on 300 thirteen years ago they had some traffic in the mornings and evenings. When he moved three years ago could not walk across the street to get mail without taking his life in his hand. Also could not turn into his driveway without being passed. Do not have the infrastructure within the county. Everything collects onto 300 and this has caused some problems. Chairman Hancock said this is Highway 48 which is very busy. Lane said a lot of schools are on this. Having these subdivisions outside of the impact area is a continuing problem. Chairman Hancock said they are aware of this issue. Have discussed this many times. Talk about infrastructure and roads. Need to find how they are going to get people in and out of subdivisions they need turn lanes put in. Commissioner Young said the way would have more of this within the city. Chairman Hancock said even Idaho Falls Crowley Road is bumper to bumper.

[11:17:52 AM](#) Lane said they cannot let this fly without having any ordinance on public wells and sewers. There was a definite reason on why the Commissioner members agreed to put this in there. This changes drastically what they hoped to accomplish. Chairman Hancock said that some of their comments were not sent to them this had been missed. They will be getting a lot of comments on the 1st. Would like them to be here to hear them if possible to take these back to their commission. Lane said they have been doing this for two years so thinks they could do this in a short period of time. Chairman Hancock said there is just a few issues they need to look at. Lane said they are fairly prepared to work quickly. Warren agrees but every month there is another subdivision coming before them. So a decision needs to be made so they can fix this and have guidance and plan for the future growth. This is coming continually every month. Chairman Hancock said that Commissioner Clark made a great comment at looking at five, ten, fifteen and twenty year horizons. Need to think of where they need to be. Would be nice if they put in sewer districts a long time ago. Bonneville County tried to mitigate this. Commissioner Young thinks they should do a moratorium but thinks they can do this quicker. Chairman Hancock would rather see ninety days. Commissioner Clark thinks ninety days will be more realistic. Hate to go with the full time because the public is going to want to get to work this spring. Chairman Hancock would also propose a change that they realize in the area of impact this does not affect that area. If they are doing a subdivision within the impact area they can proceed. Can see the problem and they need to get this solved.

[11:22:14 AM](#) Erik said in the AOI Agreement there is three levels of development On the new development it states if water and sewer is feasible. Where do they go if it is not available? Chairman Hancock thought on subdivisions this was a requirement. Erik did not want to paint themselves in a corner. Chairman Hancock said this before they would rather have this move out. Thinks they are on the same page. If they can bring this back in with those changes. Commissioner Young asked what they would add for the area of impact. Chairman Hancock said they can pass this once they make those changes. Do want the growth to come from this direction where the services are already. Heard about Hailey's Creek who has fifty-six new townhouses coming in. Have the services so that is great. As the require these they may want to look at lot sizes being adjusted. Thanks the Planning & Zoning Commission members for their comments. Kevin said they can get those changes made and brought back up. Chairman Hancock said he made a note. Need to get this corrected. Kevin asked Mark if they can make a motion. Mark would write the changes have those reviewed first. Chairman Hancock said they will be up here for a little while. Will take a recess while Erik makes those changes.

[11:27:41 AM](#) Recess for changes

Open session 11:34

[11:34:20 AM](#) Chairman Hancock will read the parts of the resolution that have changed. "Section 2. Proposed subdivisions located within the boundaries of Section 1 above that have been approved, shall be exempt from this moratorium ordinance. Also, all property within the incorporated city boundaries and within the Rigby Area of Impact shall be exempt from this emergency moratorium. Section 3: This moratorium shall take effect immediately and shall be in full force and effect for ninety days (pursuant to I.C. §67-6523)." Thinks they have had their discussion on this.

[11:35:06 AM](#) **Motion by Commissioner Clark to approve resolution #2021-27 for a moratorium on subdivisions. Second by Commissioner Young. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

SOCIAL SERVICES – AMY JOHNSON - CANCELLED

- EXECUTIVE SESSION 31-874 & 74-206(D) – RECORDS EXEMPT FROM DISCLOSURE – (ACTION ITEM)
 - APPROVAL OR DENIAL OF INDIGENCY APPLICATION – (ACTION ITEM)

WAYNE ROGERS JR. - DID NOT COME IN

- EXECUTIVE SESSION 74-206 – (B) – (ACTION ITEM) – CITIZEN COMPLAINT

COMMISSIONERS

- **APPROVE CERTIFICATES OF RESIDENCY – (ACTION ITEM)**

[11:36:48 AM](#) Motion by Commissioner Clark to approve certificates of residency for the College of Eastern Idaho for Brianna Genetti. Second by Commissioner Young. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

- **APPROVE COMMISSIONER MEETING MINUTES – (ACTION ITEM)**

[11:38:59 AM](#) Motion by Commissioner Clark to approve commissioner meeting minutes from January 25, 2021 with noted change. Second by Commissioner Young. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

[11:39:10 AM](#) Motion by Commissioner Young to approve commissioner meeting minutes from February 1, 2021 with noted change. Second by Commissioner Clark. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

- **APPROVE CLAIMS – (ACTION ITEM)**

[11:39:49 AM](#) Commissioner Young did not see anything. One comment is maybe when Road & Bridge purchases equipment they need to add what this is for. Chairman Hancock said they have equipment numbers. This is something they do need to look at. Commissioner Clark said some of the bigger items. Colleen said they had \$99,000 for the Horrocks Engineers has been working on getting the Gem Grant. Chairman Hancock said they will talk with Mark on the validation hearing. Did not see anything else.

[11:43:53 AM](#) Motion by Commissioner Clark to approve claims from 02/09/2021 to 02/19/21 for \$284,230.32. Second by Commissioner Young. Roll call taken. Commissioner Clark –aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

[11:45:17 AM](#) Motion by Commissioner Young to adjourn at 11:45. Second by Commissioner Clark. All in favor – aye. Motion passed.

Chairman of the Board

Date

Clerk of the Board

Date

County Clerk

Date