

**JEFFERSON COUNTY COMMISSIONER MEETING MINUTES
JUNE 7, 2021**

Meeting called to order at 9:01. Those present are Commissioner Clark, Commissioner Young, Chairman Hancock, Emergency Management Rebecca Squires, Clerk Colleen Poole; Audrey Moon is clerk of the board. Pledge of Allegiance led by Commissioner Clark. Prayer offered by Commissioner Young.

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

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MAINTENANCE – TRAVIS THOMPSON

• **SANITATION SERVICES – (ACTION ITEM)**

9:03:10 AM Travis is here they currently have City garbage are paying \$810 a month. Will be switched to Eagle Rock. They will be replacing the black cans with their dumpsters. Choice and PSI were two other companies he was able to get ahold of and sent in bids. Chairman Hancock said Choice will do this for \$258 a month and PSI will do this for \$258.98. What is the difference? Travis said they will all be twelve yard dumpsters with twice a week pickup. All of them said if they need to do a third pickup they will be able to adjust this. Commissioner Young recuses himself. Chairman Hancock asked who he would prefer. Travis would prefer to have someone local. They are already taking care of the lake. PSI is great as well so he could go either way. Does like the local company. Commissioner Clark asked what they have now as far of yards capability. Travis said this is pretty close to what they have currently. The dumpsters they have are equivalent to three homes. Commissioner Clark said they will have more room with the twelve yards. Chairman Hancock thinks this will provide more room.

9:06:05 AM

Prosecutor Mark Taylor is in room

9:06:10 AM

Motion by Commissioner Clark to go with Choice Sanitation Services for twelve yards of dumpster picked up twice a week for \$258 a month. Second by Chairman Hancock. Roll call taken. Commissioner Clark – aye, Chairman Hancock – aye. Motion passed. Commissioner Young recused himself.

ASSESSOR – JESSICA ROACH

• **DISCUSS APPEAL PROCEDURES**

9:07:12 AM

Jessica has Leslie Warnberg with them from the State Tax Commission. Has a few questions and wanted to give them a general sense of what the values did. They sent assessments out Friday so should start receiving phone calls today. Chairman Hancock mentions he got his from Fremont County with a letter stating values went up twenty percent. Jessica said on average is about thirty percent for Jefferson County. Some went up higher, others were not as much. Leslie has ran some statistics with other counties and the changes they are seeing from 2019 to 2021. The sales they are getting in right now will look at a forty to fifty percent increase possibly next year. They are already low with everything that came in. People are putting things on the market and getting their price.

9:09:08 AM

Leslie said what they did looked at 2019 vs 2020. 2021 sales they are halfway through the year so will not analyze these until the end of the year. Saw statewide there is a fourteen percent increase. Fremont was eighteen percent, Jefferson was twelve percent. Bonneville was eight percent which was surprising but they do have a lot more inventory. Madison was fourteen percent. What they are seeing for 2021 most counties in her district are seeing about a two percent increase each month. Have record low interest rates with minimum inventory. Have a lot of out of state offers coming in with cash offers. Not sure how long the market will stay this way. Currently it is still increasing. They could change with inventory on the market. They are about \$225 a square foot bare bones with no frills. Have had about twenty percent increase in materials. It is just expensive to buy as it is to build. Problem is they are not able to get materials. A lot of builders are a year out. Jessica said manufactured homes are coming in at \$125 a square foot. Does not want to be quoted on a fifty percent increase but that is what they are seeing with the sales coming in. They are barely in compliance with the thirty percent increase. They break down the land and the improvements. Improvements were about a twelve to thirteen percent increase. Colleen asked if land is going up. Jessica said yes. Leslie said she saw anywhere from one to two percent increase on land per month. Jessica said this is per the letter they received and if they hadn't raised their values they would be out of compliance and then the state would come and do it. Expect the phone calls to start today. Is only interpreting what the market is indicating.

9:13:29 AM

Chairman Hancock said they all have told people that they have no control of the market. This is not in their control and their office is doing what they have to. This is based off of the law. They have lowered their levy rates. Issue that benefits the most is the schools because they have fixed levy rates. Jessica said the homeowners' exemption was increased to \$125,000 from \$100,000 which helped the higher end homes. Anything valued less than \$250,000 did not receive this increase. This shift will come back to the lower value homes. This is something all taxing districts have to take into consideration. Commissioner Young said this is a shift of the tax burden. Leslie said anytime they decrease with exemptions they shift the tax burden. Property taxes are budget driven. These are budgetary amounts so they increase the tax base. Chairman Hancock said the county will be reducing. The county taxes are the third lowest in the state. This is not total taxes. This is not with the schools and other taxing districts but for the county they are the third lowest according to IAC. They are really very conservative. Jessica said this is a matter of time before they get their second high school. Chairman Hancock said they have the ground. Jessica said they added over three hundred homes last year to the rolls and the amount of building permits has increased.

[9:16:34 AM](#) Jessica said they participate with the State Tax Commission with their tax estimator. This is usually a reliable estimate on what the taxes will be. This will hopefully be set up in the next week or so they try and work with property owners on this to give them an estimate. Chairman Hancock said people have to realize what the market is doing and what the law requires on assessed values. Jessica said they may have to have a public hearing on this. Chairman Hancock said last year they got lower taxes from the rebate. Jessica would recommend the commissioners send a letter that the relief from last year was a onetime deal. Not everyone went up the thirty percent. Commissioner Young asked which homes went up the most. Is this the lowered values homes? Jessica said this is kind of a mixture. Have seen manufactured homes selling for \$300,000. Chairman Hancock said he has seen homes more than double in five years. Heard people making \$200,000 on a home they turned around in six months.

[9:19:04 AM](#) Jessica wanted some clarification on BOE procedures. First question is do they want to have Audrey schedule appointments separately with ag, residential and commercial grouped together. Commissioners think this would be easier. Jessica said it makes her office easier. Does not think they will be hearing a lot from the ag. How much time do they want allotted for each appeal? Commercial these usually do take longer. Chairman Hancock said the commercial has not seen the spike. Jessica said this has gone up this year. Commissioner Clark asked on the timeframe last year. Jessica said residential is ten minutes per person and then five minute rebuttals. It is hard to say how many they will have. Commissioner Young asked if they can wait to see who files. Jessica said it is a good idea to spell out their expectations on the hearing when they file the appeal. If they have people filing an appeal they need to know what they are wanting. Chairman Hancock said twenty minutes that way they have some leeway. Colleen asked if her office will be handing this out when they file. Jessica said yes.

[9:22:14 AM](#) Jessica said the other thing that was recommended is that both parties submit the information prior to the hearing. Is this something they need to do or submit this at the hearing? Chairman Hancock asked what her office needs. Jessica just thinks this needs to be fair. Chairman Hancock said they can turn this in at the hearing. Jessica said the deadline is June 28th at 5:00. Have to submit these to the Clerk's Office. Typically this is one of the busiest days for her office but this is also the first day they can hear the BOE. Would rather leave this open until they have to just because the appraisers are usually busy. So it would be July 6th and July 12th. Chairman Hancock said if they have too many they will have to schedule another meeting. Leslie said they have required follow up on the vacant residential. Have deadlines for that as well. Have to have these heard in a timely fashion. Hope they have no appeals. Jessica said it's hard to say feels it will be a busy year. The other thing with the new law on homeowners' exemption they can apply for this anytime. Their recommendation is that they change anything up until that fourth Monday in June because she still has control of the rolls. Then after that would schedule a time up to the second Monday in July to approve the homeowners' exemption and then after that it would be a tax cancellation. So if they set something on the 12th they can have these read into the record. Commissioner Young asked if the homeowner's exemption is automatic. Chairman Hancock said they have to file but they do not have a deadline. Jessica said they can sign up December 31 and still get the entire exemption. Colleen sent a letter to the taxing districts because these could possibly be tax cancellations.

[9:26:24 AM](#) **Prosecutor Mark Taylor left room**

[9:26:28 AM](#) Leslie said they can sign up late and get this for the full year. Jessica said that Colleen sent out a letter to the taxing districts because this could be a large impact. This is only if the home did not have the exemption already. There are a few out there that are second homes or rentals. Asks that they add something on July 12th. Audrey asked that they add on there somewhere that they will get a phone call with a time so that she can schedule them in groups. Chairman Hancock said that would be the best to schedule them into the groups.

NOXIOUS WEEDS & INVASIVE SPECIES – MITCH WHITMILL

- **CWMA FEDERAL COST SHARE AGREEMENT – (ACTION ITEM)**

[9:29:16 AM](#) Mitch Whitmill has Kim Ragotzkie with High County RC&D. Helps with the portion of the grants from the State of Idaho. Have made some changes with those that have signed their participation grant. Then the board can sign on behalf of the organization. Usually Bonneville County takes this. Commissioner Clark is on the board so will have him sign on their behalf.

[9:30:21 AM](#) **Prosecutor Mark Taylor is in room**

[9:30:27 AM](#) Mitch said this is done each year. Signed the state portion of this. This is for the federal dollars. Still all the same organizations. Did send this to Mark and he did not see any issues.

[9:31:45 AM](#) **Motion by Commissioner Young to approve the Idaho Department of Agriculture Upper Snake River Cooperative Agreement. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

- **PURCHASE ENCLOSED TRAILER – (ACTION ITEM)**

[9:36:45 AM](#) Mitch would like to get another enclosed trailer. Their ATVs have the spray systems and GPS equipment on them. These are quite delicate. The equipment has done much better having these enclosed. When they are on a job site they have to have the pesticides in a secured location. They cannot secure these if they are on a flatbed. This way the chemical is kept in the trailer with no immediate access. Also a safety factor with these cargo trailers because they are low profile. Loading on the larger trailers can have issues with the water tanks on them. These take that factor out with this being lower. Was planning to purchase another ATV but they did some repair done on the one they have so will keep this for another season. Have two crews that run private and canals. Have the bids. Chairman Hancock said they do not put 250 gallons of water. Mitch said no that should be 25 gallons. Have to be careful with them. Chairman Hancock said Forest Service won't use these anymore made them go to UTVs. They have a quote from Diamond at \$10,800, Riverside at \$8,729 and Iron Horse \$7,900. Commissioner Clark asked if they have any in stock. Mitch said Iron Horse has one coming in this week. This is the better price as well.

[9:41:57 AM](#) Chairman Hancock asked if they want to use the Iron Horse. Mitch said this is the best cost wise. These are just a skeleton box. Usually they put foam in the ceiling and a substrate up with the heat. A co-partner in another county had some issues with chemical jugs exploding. So they cut vents and make sure they have ventilation. All of them will have to have modifications done. These are all three very similar a cargo

trailer with a drop down. Commissioner Young said the Iron Horse does have a side entry door. Mitch said he will make sure they are equal. Riverside might have one within thirty days. Diamond did not give them a time was told on the Diamond Trailer quote was only good for a day. The Iron Horse didn't say just needs to get back with them. Apparently since COVID it has been hard to get stuff. They have about \$20,000 in their capital line. If they go with the Iron Horse is \$7,939. This includes doc fees and title fees.

[9:45:08 AM](#)

Motion by Commissioner Clark to approve trailer for Noxious Weeds this is a 7X16 cargo trailer from Iron Horse in Rexburg for \$7,939. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

PUBLIC WORKS – DAVE WALRATH

• MICHAEL CARDWELL VARIANCE REQUEST – (ACTION ITEM)

[9:46:33 AM](#)

Dave has a variance request. This is for Michael Cardwell who applied for an access permit off of 100 N near 3700 E. This is in the old Garfield Estates. Owns 10.53 acres south of the Estate. There is an existing access that goes through Garfield Estates. Michael has the easement agreement. Commissioners look at the area. Michael said what happened they took the field back and have three ten acre lots. Would like to have an access road so they can begin to develop their new home. Filed for an access permit for this. Chairman Hancock said they just went to the Planning & Zoning Commission to be changed to an R1 and this was recently denied. Michael said yes that is the case but they are still planning to put their home back there. Planning to put their house there and the neighbors to the east and west so they will have three houses. Is it his understanding this has to be paved when they have more than three homes? Chairman Hancock said that is true. Michael knows the people on the left are planning to re-plot this for two R5 lots. Right now is interested in having the road to the point to get to his own home.

[9:50:15 AM](#)

Chairman Hancock said he is familiar with this area. The easement is sixty feet. That is what the requirement would be for a county road. What are they looking for exactly? This has been platted for over thirty years. Dave said lot five is planted in grass. Would be a radical change with this access. Chairman Hancock said this is grass they never developed this. Michael said they do not necessarily need the new access. Has provisions for improvements. Grantee is responsible for upkeep but is non-exclusive. Want to file for a building permit for their home. Did not know to what level this needs developed. Chairman Hancock said this has been there.

[9:52:39 AM](#)

Kevin said this shows as a road utility easement that has never been developed. The previous owners argued this was never developed so it went away. Chairman Hancock said there is no other access to this property. They used to use lot seven but this was not the correct access. Know the Cliffords took this to attorneys. Dave said a prescriptive easement is based on use. There has not been use. This does not apply to the 250 feet requirements. The folks that live in lot five will not like a road between their properties.

[9:54:38 AM](#)

Dave asked what the access was originally for. Chairman Hancock said this was platted over thirty years ago by Ed Bloxham. Kevin said originally when this came for review they have a gap with lots. The Garfield Estates there is a twenty foot gap. Want to make sure this is safe. May have been platted before but now they have seven houses. Knows that lot seven is farmed. Now have potential for a subdivision. Chairman Hancock said this is three parcels. Dave said the other two owners want to split. Michael said the other owners may want to but that is their business. Chairman Hancock said this has been there a long time. Wilding put a shed in knowing this was on the access. Michael said this is a non-inclusive access. Those people putting in sprinklers and grass that was their decision.

[9:58:33 AM](#)

Kevin said he spoke with Dave would rather they table this request so they can look into this and make sure they are on solid ground and not in a bad position later. Dave does not think this exists until it is built. Chairman Hancock said this has existed for years just was not developed. Kevin said that is the issue. Michael would like to request the issue of platting this out to more than three houses is a different issue. Have lots that are residential if they do not have access to this would not make any sense. Need to have a road. Would like to move forward with a road for the three existing properties. Would like to build their house there. Otherwise they may need to go back to the real estate company. Kevin said they need to have a development agreement.

[10:00:58 AM](#)

Mark said they have a lot of issues here. There are some other legalities here. Does not think they can decide this with more facts. Right now they are shooting darts in the dark and they need more information. Chairman Hancock said the biggest issue things have changed in the years. Commissioner Young does not see an issue granting the access to the road. Chairman Hancock said this is platted and deeded. If they are worried about granting a variance this would only be for three homes. Dave said if they want a subdivision they have to build the road to county spec. Once this does then the county can take over ownership. Michael thought this would still be a private road for the three owners so they can keep this gravel. Feels that they can look at that later. Just wants to get his building permit turned in. Chairman Hancock asked if they need a variance. Kevin said they need to see when everything was platted. If they cannot resolve this then they should have a development agreement if they do want to split off. Then they need to know what happens if they add a fourth house.

[10:05:09 AM](#)

Michael said looking at ordinances the burden is on the person developing the subdivision. As reading through the requirements it is on the three owners to service all three of them. Once they add a fourth house this burden would fall on whoever wants the fourth house. Kevin asked to table this and do some more research or when these lots come before them to split they can look at this. Want to make sure where they are going they still can access this. Need to make sure they can safely develop this. Chairman Hancock said they have been before Planning & Zoning was denied for R1. Michael said the easement was dated in 2018. Each tract has a description. Chairman Hancock said they need to go back farther than 2018 because this was originally there. Chairman Hancock asked on building. Michael is hoping to get this built this summer. Chairman Hancock said they can table this two weeks. Commissioner Clark said if they find they have an easement then they do not have to come back to them.

[10:09:35 AM](#)

Kevin will work with Dave on the separation. If this is an easement how do they make this safe? Chairman Hancock said this was already done. Kevin said this may come before them as a subdivision ordinance. What happens when others want to split these lots and then it becomes a subdivision? Feels they will have issues. Chairman Hancock said they do not want to stop this gentleman from proceeding. Mark asked if

there is a formal variance form that has been requested. Dave said they do not have a formal process. They currently require 250 feet between access points this will be less than half of this with driveways on either side. Can they go with ninety feet instead?

[10:11:51 AM](#) Michael realizes this needs further discussion on their part. If this should exist is not the question. Dave said the problem is this was not built to intersect with 100 N. Chairman Hancock said this has been used. They need to review the original plat. Will table this for two weeks. Michael would request that as soon as they could because if they cannot develop a house.

- **UPDATE**

[10:14:45 AM](#) Dave has a flyover map for Solid Waste from a drone. The orange is too steep and the pink is too flat. Chairman Hancock said that is not much. Dave said they have twenty-six test pits. Will test these for five feet of cover. Then will have to take samples from nine of these pits. They are getting closer. Chairman Hancock said they have 1.6 acres that is too flat. Dave said they will probably bring in some fill. Gaylord has been working on these. Will meet again in two weeks will have the slope issues taken care of. Thought is they will have this ready for seeding this fall and get this certified. Planning to start otta seals next Monday out in the Ririe area and move west. Will be on 4815 E where they meet on County Line. Then will have 4200 and 4300. This is not the final treatment on the roads just a layer. Will try and plan this out for the possibility of demurrage is minimized. Chairman Hancock asked where they will pave. Dave said they will pave some on Bassett Road, 4200 and 4300 which will have an otta seal then an overlay. 500 N between 3800 and 3900. On 3700 E between 400 and 500. Then will put some clean chips where they overlaid last year. Will be busy until middle of October. Do tend to lose operators due to harvest.

[10:18:21 AM](#) Dave said Fire Department is all set up to use the fuel. Chairman Hancock said another issue is an ordinance for Jake brakes. Need to bring this back up. Need a list of areas that he believes could use a sign once an ordinance is created. Dave does not personally have any issue with Jake brakes. Chairman Hancock said they need to look at main roads like County Line. Dave said they need the ordinance or it makes the issue worse. Menan-Lorenzo there would be that one. Chairman Hancock asked for a list. Dave said main Highways. Chairman Hancock knows this is something they need to discuss.

[10:20:33 AM](#) Dave said they have been doing mag-chloride out on the westside.

COMMISSIONERS

- **DROUGHT DECLARATION - RESOLUTION #2021-33 – (ACTION ITEM)**

[10:21:42 AM](#) Rebecca also has some data if they want to look at this. Upper Snake is showing normal other than the westside of the county. Chairman Hancock said they can lose this by the middle of July. Rebecca said Palisades is at eighty-five percent. Chairman Hancock said most of this is carryover water and owned by irrigation companies in the lower valley. Only have access to very little. Irrigation companies will pull out their carryover. Talked with water committee. They have to look at where the stream flows are. Hard to issue a declaration if they are running flood water. Had some for about four days. Thought this was going to last longer. Commissioner Clark said they are cut back to eighty percent.

[10:24:59 AM](#) Chairman Hancock reads resolution. "Jefferson County Resolution #2021-33. Whereas, Idaho Code §31-801 grants general powers and duties, subject to the restrictions of law, to the boards of county commissioners in their respective counties; and Whereas, Idaho Code §31-828 grants the board of commissioners authority "to do and perform all other acts...which may be necessary to the full discharge of the duties of the chief executive authority of the county government"; and Whereas, Idaho Code §42-222A authorizes the Director of the Department of Water Resources, following the declaration of a drought emergency for an area designated by the Director and approved by the Governor, to allow temporary changes of point of diversion, place and purpose of use of valid existing water rights, so long as said changes will not injure existing water rights; and Whereas, Idaho Code §46-1011 provides that the Chairman of the Board of County Commissioners may declare a local disaster emergency, which may be continued in excess of seven days with consent of the Board of County Commissioners; and Whereas, Idaho Code §46-1002(3) provides, in part, that a "disaster" includes the imminent threat of widespread or severe damage or loss of property resulting from any natural or manmade cause; and Whereas, Idaho Code §46-1002(4) provides, in part, that an "emergency" includes the imminent threat of a "disaster" or condition threatening property which requires state emergency assistance to supplement local efforts to protect property or to avert or lessen the threat of "disaster"; and Whereas, NRCS indicates below normal snowpack and precipitation in surrounding drainages and forecasts below normal streamflow in the Upper Snake River Basin and predicts reduction of water storage in 2021; and the National Weather Service predicts above normal temperatures and below normal precipitation for the summer of 2021; and Whereas, the Board finds that the current low water levels pose an imminent threat of disaster to agriculture in Jefferson County, which constitutes an emergency as defined in Idaho Code §46-1002(4); Now, therefore, Be It Resolved that good cause having been shown the Board of County Commissioners hereby declares that a local drought emergency exists in Jefferson County and hereby consents to said declaration and orders and ratifies the same. The Board further orders that this declaration of local drought disaster emergency shall remain in effect until the end of the 2021 irrigation season, or until otherwise terminated by resolution of the Board, whichever occurs earlier. This resolution shall be in full force and effect immediately after its passage. Done and dated this 7th day of June, 2021."

[10:28:15 AM](#) Chairman Hancock said this gives them the ability and are seeing these issues. Rebecca said they have a Mr. J online that may have some comment. Appears this was an inadvertent hand raise.

[10:29:47 AM](#) **Motion by Commissioner Clark to approve resolution #2021-33 for drought declaration. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[10:30:27 AM](#) Rebecca said all of the surrounding counties have declared. She will get a copy sent off to Idaho Department of Water Resources.

PARK & RECREATION – MICKEY EAMES

- **VENDOR CONTRACT – (ACTION ITEM)**

[10:31:07 AM](#) Mickey said that she has two contracts that they would like to look over for a concessionaire. This is for the swings. Generally comes on the Independence Celebration. Have had this out there before. Wants to be out there for the summer is going to offer five percent. Fizz Bizz also wants to come out for the summer with their truck. Will have sodas, pretzels and cookies. These are the two they have today. Mark said he has not reviewed the vendor contracts. Chairman Hancock said they have some concern on the liability. Mickey said that they did sign off on the liability waiver. Mark said he looked at the liability waiver did change this and sent it back. The citizen that uses this waives county liability. Mickey said she is waiting for a little Mexican tacos that may be brought in later. Mark said one thing not addressed in the waiver of liability is her indemnifying the county.

[10:34:59 AM](#) **Motion by Commissioner Clark to approve JSR Entertainment for Jefferson County Lake for 2021 with agreement to county terms and conditions. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[10:35:20 AM](#) **Motion by Commissioner Young to approve Fizz Bizz to contract at Jefferson County Lake for 2021. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

SHERIFF – STEVE ANDERSON

- **JAIL MEDICAL CONTRACT – (ACTION ITEM)**

[10:36:54 AM](#) Sheriff Anderson has their contract with Badger Medical. Did provide this to Mark with limited time to review this. There is no fee increase. There is still liability coverage and they take all of that risk. This covers mental health. Commissioner Young asked if this is for two years. Sheriff Anderson said that they come before them each year.

[10:38:23 AM](#) **Motion by Commissioner Clark to approve the contract with Badger Medical for Jefferson County Jail for \$181,333 for 2021. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

ELECTIONS – CATHY DABELL

- **RESOLUTION #2021-32 – DESTRUCTION OF RECORDS – (ACTION ITEM)**

[10:40:43 AM](#) Cathy has a resolution. Chairman Hancock said they have a destruction of records resolution. "Resolution Authorizing Destruction of Records. At a meeting of the Board of Jefferson County Commissioners, State of Idaho, on the 7th day of June, 2021, the following resolution was adopted, to wit: Whereas, Idaho Code 31-871 requires the Board of County Commissioners to authorize the 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, approval for the destruction of the below listed records has been obtained from the Idaho State Historical Society, when required, and County Attorney, as provided by Idaho Code 31-871. 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. 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 Commissioners' Clerk. 2005 Road & Bridge address list, 2007 Election management guidelines, 2007 poll worker training and retention manual, 2010 to 2012 optical scan printouts, 2011 election financial records, 2012 election training manual, 2012 election handbook, 2012 absentee ballot report, 2014 absentee ballot report, 2015 election expenses, notices and sample ballots, 2015 consolidated election law book, 2015 recall election absentee ballot report, 2016 March presidential primary poll books, 2016 May primary poll and tally books, 2019 May City of Menan special levy election voted ballots and tally books, 2020 March presidential primary AutoMark test ballots, 2020 March unused ballots and ballot stubs, 2020 May primary election unused ballots, 2020 May primary absentee envelopes, 2020 August School District 253 bond election unused ballots, 2020 November general election ballot stubs, discontinued AutoMark manual, discontinued M650 2009 Sales order agreement and manual, and guides to Department of State outdated software systems. Colleen said this was reviewed and approved by legal.

[10:43:47 AM](#) **Motion by Commissioner Young to approve resolution #2021-32 for destruction of records. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

HOPKINS RODEN CROCKETT HANSEN & HOOPES, PLLC – LARY LARSON – OVANES BERBERIAN

- **PETITION – COMPRESSION BRAKES – EAST MENAN-LORENZO HIGHWAY**

[10:45:03 AM](#) Lary said he is semi-retired. Does still work for some clients. Ovanes is a painter and lives in Menan. The problem is the neighborhood of Lorenzo is this interchanges with US 20. Client's home is in the trees has a house with blue roof. The problem is he frequently has guests at his home. There is a dozen homes in this neighborhood. To the east he has a house that he rents out. Have had to deal with the trucks with compression brakes. They use these compression brakes which makes a huge noise. Disturbs Mr. Berberian and his renters. Would be a simple solution to have this prohibited when they approach this neighborhood. This is a cost saving device for truckers. It got worse when the interchange was put in. In the last ten years has gotten worst. Would like to request on 4100 E the one FedEx uses and the business park south of the property uses this as well. If they could have a sign right here on this corner. Perhaps could have the speed limit reduced as well.

[10:49:33 AM](#) Chairman Hancock said this has to have a compression brake ordinance. They had tabled this due to COVID and the difficulty of having hearings. They are back into this. Will need Dave to have some suggested areas. Dave said the speed limit is 50. Anywhere in the county if they do not have a speed limit sign is 50. Does not have a problem with an ordinance. The issue would be enforcement. Chairman Hancock said this would be the Sheriff's Department. Hopefully if they put this out the truckers will obey. Dave knows they have these in Idaho Falls and still have

issues. Can put the signs up. Lary said if they put the signs far enough out from Highway 20 could just take their foot off the brake sooner. Commissioner Clark said this is how this works is when they take their foot off it helps them slow down. Lary said it is good that they have thought of this sounds like they need to have an ordinance. Can they ask that this location be located on the list? Dave mentioned someone had put a sign up beforehand without an ordinance. So then the truck drivers would use their brakes intentionally to make this worse.

[10:53:52 AM](#) Chairman Hancock said they need a list and will need to get an ordinance drafted.

PLANNING & ZONING – KEVIN HATHAWAY

• UPDATE

[10:55:04 AM](#) Chairman Hancock asked why the shops are taking longer. Kevin said they have some notes. One had an ag exempt shop that was going to be a house. Numbers are consistent with what they have been. May slowdown is hearing a few builders that are holding off. Most of the permits will be those that have already been funded.

[10:57:52 AM](#) Kevin said they had six hearings at their meetings. Erik said they have four for a special meeting on June 24. Chairman Hancock said this is for the same purpose to change lot sizes. Kevin said these will be lengthy. Will have a work meeting with the zoning ordinance changes. Asked them to bring back their changes for review. Will be having a public hearing to adopt Municode in June. Working with the capital improvement plan. Have not been able to have meetings so were trying to hold off on these. Getting back up to speed. Also reviewing with departments that have key impact fees this is how they will be based is off of this.

[11:01:17 AM](#) Mark asked on the hearing they usually have a summary. Chairman Hancock asked why they are having a hearing. Mark said the resolution takes all of the ordinances and creates a code. What it does it takes all ordinances and codifies this into one code. Anything that is not in there has been revoked. This is important while speaking with staff things were changed without going through the correct processes. This is kind of basically saying this is what has been passed. If this is not here it then is revoked. Could have some changes in the ordinances. Erik said they make changes to grammatical errors or discrepancies. Mark asked if they will be able to scroll through. Erik said they noticed the public hearing then after they have the hearing they will reference this. Believes they all state they have copies in the office.

[11:04:38 AM](#) Kevin said some of the ordinances had never been codified.

• EXECUTIVE SESSION 74-206 (F) – PENDING LITIGATION – (ACTION ITEM)

[11:05:33 AM](#) **Motion by Commissioner Young to go into executive session 74-206 (F) – Pending litigation. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[11:43:53 AM](#) **Open session 11:43**

[11:44:02 AM](#) Chairman Hancock said they spoke about pending litigation on a nuisance issue. Chairman Hancock has some questions they would like to ask. Invited Ms. Perkins up to speak.

[11:44:37 AM](#) Nedra Perkins from Hamer, Idaho. Chairman Hancock asked if City of Hamer is an incorporated City. Nedra said they are. Chairman Hancock said if they are incorporated this would fall under the city. Nedra said they have no means of doing anything. They have no police officers. Chairman Hancock said they do not have any legal standings in the City of Hamer. Nedra said they have no attorney.

[11:45:55 AM](#) Mark said the issue is jurisdiction and authority. Every local government has authority from the state. Once they are incorporated they are independent. They have their own laws. Have no jurisdiction with the City of Rigby a Sheriff Deputy cannot issue a ticket. Since they are an incorporated city the county has no right to declare a public nuisance. Chairman Hancock said they follow the county ordinances. Mark said they have a hearing like they are right now. Nedra thought they were ready to go. Mark said it is an issue not having an attorney. Done the homework and can talk her through this but does not have the authority. They need to exercise their own authority. Commissioner Young said they just need to declare this at a city council meeting. Kevin said they can present this on their next agenda. Mark asked if they have procedures for their meetings. Would need to have some public notice on their agenda, pass a vote and have a resolution. If they are incorporated they have that authority and the county does not. Chairman Hancock said if this went to court it would be thrown out. Nedra said if they do this what the process is. Mark said this is outlined with state statute. This is specific to waste tire storage. Mickey feels this lady may be overwhelmed they may need to help her outline this. Is here learning something new. Chairman Hancock said they were willing to do this but they do not have the right legally.

[11:51:34 AM](#) Erik said the correspondence do they have to go through this. Commissioner Clark said they will still support them. Erik said if she can come to his office he can walk her through this. Commissioner Clark said this needs to change to come from the City of Hamer. Nedra said that she is just getting over her disappointment. Chairman Hancock said the biggest question is if they were an incorporated city. Commissioner Clark said they are here to help move this forward. Chairman Hancock knows that Planning & Zoning has spent a lot of time on this.

[11:55:45 AM](#) Mark said other incorporated cities have contracts to have law enforcement provided to them. They are their own legal entity. They have to authorize or contract them to help.

• RESOLUTION #2021-31 – PUBLIC NUISANCE DECLARATION – (ACTION ITEM) - CANCELLED

PARK & RECREATION – MICKEY EAMES

• VENDOR CONTRACT – (ACTION ITEM)

[11:58:18 AM](#) Mickey said she has the other contract and proposal. Has been a good vendor.

[11:58:53 AM](#) **Motion by Commissioner Clark to approve Wings and Things as a vendor at Jefferson County Lake for 2021. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[11:59:33 AM](#) **Motion by Commissioner Clark to adjourn at 11:59. Second by Commissioner Young. All in favor – aye. Motion passed.**

Scott Hancock
Chairman of the Board

Audrey Moon
Clerk of the Board

Colleen C. Cole
County Clerk



6/28/21
Date

6/28/2021
Date

6/28/21
Date