

**JEFFERSON COUNTY COMMISSIONER MEETING MINUTES
TUESDAY, JULY 6, 2021**

Meeting called to order at 9:00. 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 Mark Taylor. Prayer offered by Commissioner Young.

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COMMISSIONERS

• **DISCUSSION ON 465 NORTH**

9:03:43 AM Chairman Hancock said this is more of a discussion on how they are going to proceed. Does not feel they are going to have a decision on this. This was about an order sent by Planning & Zoning. This was something new to them and trying to figure out the best approach. There are different opinions on this.

9:04:29 AM Commissioner Young thinks 465 has been a private road but there is some history behind this road. Jefferson County needs to look at the county interest of keeping this road open. Was made aware of a letter that Planning & Zoning mailed to Josephine Smith asking her to close this road. Would like to have some review of this letter. There is other interest besides the Planning & Zoning issues. Need to be sure they are not jumping the gun and closing a road that is vested for the county. Commissioner Young said that Mr. Taylor lives in this area. Mr. Taylor said that is accurate. Commissioner Young said with that being the case he feels they should get outside legal counsel as to not to run into conflict. Chairman Hancock agrees they do not want to have any conflict. Commissioner Clark believes as well and believes that Mr. Taylor is agreeable to this. Mark said he agrees and has it on his to do list to look for someone. Before he steps down as a private citizenship. Would caution them reconsideration on that action this is acting as quasi-judicial. Would have to have a proper notice and hearing. Any action they take could be voidable. Chairman Hancock said they will not take an action on this on the road closure. Feels they need to do some additional research and have some legal research.

9:07:52 AM Chairman Hancock would like read a letter from their Fire Chief. **(Exhibit A)** "To Jefferson County Commissioners. Gentleman, It was brought to my attention that you are hearing proposals to close the road numbered 465 North which is currently accessed from 4100 East and 4108 East in the county. We acknowledge that this is a private road that goes into the backside of the Cottonwoods subdivision. I would like to bring International Fire Code and the accepted norm of this roadway to your attention. International Fire Code requires two separate access roads when a subdivision exceeds thirty dwellings. The current county ordinance requires two access/exit roads when a subdivision has more than twenty-five dwellings. The Cottonwood subdivision has exceeded that thirty dwelling limit years ago. It has been widely accepted that 465 North is the second access/exit road into the subdivision. Without that roadway the Cottonwood subdivisions is out of compliance with International Fire Code requirements and current county ordinances. The International Fire Code commentary expresses the primary reason for two access/exit roads is to ensure that if one access/exit roadway is blocked or unavailable that the fire department has another access in the event of an emergency. Another factor into this roadway is that it has been an accepted roadway and Google mapping shows it as an access. Imagine if you will, the time frame elapsed, in the event of a life-or-death emergency and first responders being blocked and having to reroute to get to a victim in that area. These are real-time issues that were brought to my attention, and I am asking you to reconsider the same. Thank you for your consideration Carl Anderson Fire Chief Central Fire." Chairman Hancock said they can go to the letter that was issued. Kevin did not bring a copy.

• **RECONSIDERATION ON ORDER FROM PLANNING & ZONING – JOSEPHINE B. SMITH – (ACTION ITEM)**

9:10:08 AM Chairman Hancock said they need to look at the legality of this letter. Commissioner Young did read the letter and they wanted this blocked off by July 26. Does not have a copy. Todd Thompson provides a copy of the letter. Commissioner Young reads letter. **(Exhibit B)** "Ms. Smith, You are receiving this notice because you are the property owner of record for parcel number RP003300030020, commonly identified as 4137 E 465 N Rigby, ID 83442. In connection with recent applications that have come before the Jefferson County Planning & Zoning Commission ("the Commission") involving a lot on 465 North, it has come to the attention of the Planning and Zoning Department ("the Department") that 465 North is not, in fact, a single road, but rather two separate roads, one built at least 30 years after the other. These two separate roads, however, have been connected to each other by a short road, the entirety of which is on your residential lot in the Cottonwoods subdivision. This conjoining of two dead-end roads by a short road across your property has resulted in public confusion that the two roads are a single through-street ("Today's 465 North"). When the developer of the Cottonwoods Subdivision, Dennis Dahl, applied to the Commission for final approval of his plat in 1978, the Commission granted him a "variance"—an exception to the law. Under the law in effect at that time, the county required a developer to build roads in their subdivision that were at least 30 feet wide, which would be deeded to the county upon completion of the subdivision. However, the Commission allowed Mr. Dahl to build instead a 15-foot-wide road easement, or private road, running off of 4108 East to provide access to a maximum of seven residential lots, including yours (hereinafter the "Private Cottonwoods Road"). The Private Cottonwoods Road included a small, 15-foot-wide bridge across a canal. (See the enclosed copy of the final approved plat.) Both the small size of the Private Cottonwoods Road and the number of lots accessed by it were in variance from the county ordinance in effect at the time, which restricted the number of lots that could be accessed by a private road to three. To the West of your lot in the Cottonwoods subdivision are at least four homes on five lots, all of which are connected to 4100 East by a separate dead-end road that also has a 15-foot-wide bridge ("the Old 465 North"). These lots and their road were recorded with the county in 2008, 30 years after the Cottonwoods subdivision was approved. By permitting vehicle traffic across your Cottonwoods lot from the later-built lots on Old 465 North onto the earlier-built Private Cottonwoods Road, you have transformed the variance-approved Private Cottonwoods Road,

designed as a dead-end private road serving seven homes, into a county through street between 4100 East and 4108 East. Mr. Dahl's 15-foot road easement, with its narrow bridge over a canal, was not designed to sustain through traffic, and is not permitted to serve lots outside of the approved Cottonwoods subdivision. Due to the Old 465 North now extending up to and through your lot, allowing at least four additional homes to access the Private Cottonwoods Road, your lot and the additional lots outside of the approved subdivision are now in violation of the variance approved in 1978. These violations require your immediate attention. Jefferson County requires the following corrective action: CEASE AND DESIST PERMITTING ACCESS ACROSS YOUR PROPERTY TO AND FROM THE APPROVED COTTONWOODS SUBDIVISION PRIVATE ROAD. If you continue to permit vehicle traffic to cross your property, creating a through-street between 4100 East and 4108 East, the county may require all the owners of lots accessed from either of the conjoined roads, standing in for the developers, to widen, pave, and bring the full length of Today's 465 North into conformity with the county's current requirements for public roads and bridges in subdivisions. Please complete the corrective action indicated above, and provide evidence of your correct corrective measures in writing to the Planning & Zoning Department, by July 26, 2021. Failure to provide evidence of your corrective measures to the Department in writing shall be deemed a refusal to take corrective action. Thereafter, each day that you allow access through your property to and from the variance-approved Private Cottonwoods Road will be a separate violation of the Jefferson County Zoning Ordinance 3.9.0. A willful violation of the Jefferson County Zoning Ordinance is a misdemeanor that shall be punishable by up to six (6) months in jail or up to a three hundred-dollar (\$300.00) fine or both. Alternative civil remedies are also available and may be pursued. Sincerely, Erik Stout Assistant Planner/ Acting Code Compliance Coordinator."

[9:15:48 AM](#) Commissioner Young asked if there was any research done or do they have some research to do. Planning & Zoning Kevin Hathaway hands out some information. Not sure if they want to just reference this or read it. The confusion has been they wrote a cease and desist letter. They did not know how this happened. They did not go out and block any road. Did what they do on all compliance cases. Have had complaint since March. This was all referenced by county ordinances. This is what they are attempting to do is to find the best resolution. Commissioner Young said they have numerous violations within the county. This includes a road that has been there for a long time they need to look at other criteria. Did they have any research on prescriptive easement? What else do they take into consideration? Kevin said this did not go that far. They did know this was originally allowed seven homes with a variance. This is the same rule that has been in effect for a long time. They also knew they had another five divisions made. All of these things so far are Planning & Zoning issues. These issues are why they proceeded. Road 465 was supposed to dead-end in a different cul-de-sac. Commissioner Young asked if they have done any independent legal counsel. Kevin said this is initial stage. This would have happened. Thinks they have misconception that this is beyond the point of no return. Commissioner Young said that they sent a letter to a resident saying if they did not do this they will get a misdemeanor. Kevin said they are not guilty unless they do not act. This is putting them on notice. Commissioner Young said what other compromising position if they close the road. Kevin said they are asking they do not use the private road that connects to the county road. This is really in the preliminary stages of what they do with a code compliance case. Commissioner Clark thinks there are a lot of issues here on when the road was built and the variance. Will need some more research that needs to be done. Not sure if they would like to have come comments. They do not have a lot of time but would be open to have a few comments. Mark said his personal attorney is on Zoom and would like to comment on his behalf.

[9:26:25 AM](#) Preston Carter with Givens Pursley LLP out of Boise. Mark Taylor has retained him on the private side since he has interest. Couple of comments is they all recognize they have some issues. May need time to sort this through. This is on a private road and so this is for the parties currently using the road. They county did grant a variance and there has been a violation of that variance. The county needs to enforce the law of the variance. The law needs to be complied with. Then if they have prescriptive easements these issues can be sorted through. Need to look at the county interest the law or variance between the private landowner and private road. Points out the county has significant discretion. It is not uncommon to send notice to someone when a legal violation has occurred. Does not mean the county has to propose a fine. If a landowner if notified they usually begin to work with the county to resolve the issue. Once the unlawful situation is identified they can resolve this. The concern he has if an unlawful situation is recognized but then there is some ambiguity if the county will enforce this it can impede on a private citizen. Focus needs to be on the variance that has been violated. This is primarily a private issue. Does appear that an unlawful condition exists. Would ask for some time to have the private parties be able to resolve this. Continued recognition on the variance is an important component. Needs the law complied with as part of the solution. Would ask they exercise enforcement discretion. Would like to have this play out and let the private parties resolve the dispute while recognizing the law needs to be complied with.

[9:27:26 AM](#) Diana Thompson 4142 E 465 N. About four years ago Jefferson County recorded her purchase of her property in the Cottonwood 2 subdivision shows the subdivision ending in a cul-de-sac. It has come to her attention that someone wants to have a prescriptive easement even with the no trespassing signs that have been posted. In January of 2021 a violent crime has taken place on this road. Brings to attention Idaho Constitution Article I Section 22 that states she is guaranteed restitution provided by the law from the person committing the offense that caused the loss. The judgement made by this court may not allow her to issue a trespassing charge against a violent offender. Interested to know if this intended or unintended consequence to cause her family undue financial hardship with inverse condemnation. Does this constitute a regulatory taking? If so what public purpose does this serve? All emergency vehicles can still get to the properties to Josie's property. This bridge and road was not intended for more than the seven owners. Four years of living there has left her feeling less safe. Purpose of this body is to keep in mind their safety concerns.

[9:30:05 AM](#) Todd Thompson also at 4142 E 465 N. The fire commissioner having two different accesses is a very valid concern. They have been worried about emergency vehicles getting to their area. Measured from the north Rigby exit to his place it is five minutes if they use 400 or 500. Rather than putting in a permanent road or putting a barricade could maybe do a gate. Realize when they measured the time they think they are taking time off their travel time. In reality they are trespassing and causing wear and tear on the road. This bridge was not designed to handle the traffic. Taking out their lawns and sprinklers. A group of kids took down their No Trespassing signs and threw these in the river. This is not stopping the vehicles. Sees cars, side-by-sides and semis. Has had an animal ran over. Knows that Josie is an awesome neighbor. Would like to get this into compliance with the original variance from 1978. Unanimous with the neighbors they are not wanting to make this up to county standard.

[9:32:26 AM](#) Steve Wilson has lived out here all of his life long before anyone. Live at 440 N 4100 E like he said he has lived here for years. Rode this area with his horse. Knows that these are open to prescriptive easements. People have easements they can hunt the dry bed. Can hunt in the area. The road has been there for thirty-five years. The gravel road has been there thirty-five years. The road the Taylors live on has been there over forty years. That road has been used and when they bought the property they knew that the right-of-way was through there. They have a prescriptive easement situation where a lot of people have used this area before they lived there. Before they go shutting this off Planning & Zoning they need to recognize they may have a prescriptive easement situation there. The letter was not a good letter that was sent to Josie and does not think this was right.

[9:34:44 AM](#) Travis Smith currently lives in Tennessee. Is here with his mom grew up in the Cottonwoods. The road was built when he was five or six. This has always been a through road. It's connected 4100 E. The Birds built the road his mom did not. Has been there most of this life. Does not believe this road should be closed. Thinks the letter was erroneous is not factual and should be nullified.

[9:35:44 AM](#) Rod Bitsoi 4101 E 462 N. Believe he found out when he lived on that road he is not a resident of this road. Even though his property abuts this. Found out the illegal fact from Mr. Taylor when his neighbor Dave Benez received a notice for no trespassing. Mentioned to Mr. Taylor if he is not a legal resident than he is not as well. Found out if he used this road he is a trespasser as well. Mentioned several others on this road and would be trespassing. Concern is the approach on this. Asked who gave the direction to Planning & Zoning to send out his letter. This is a lack of communication. There should be time for resolution according the legal letter. Concern is if Commissioners gave this direction. This is a touchy matter. Is a concerned citizen. If this is a matter they need to send out letters to all constituents to the county he is surely disappointed.

[9:38:18 AM](#) Preston with Givens Pursley has a brief comment. Noted they have some assertions on prescriptive easement over private property. These are just assertions at this point unless a Judge issues this then this is not recognized. This should be sorted through amongst the private property owners. Would suggest the county report on what they know about a variance violation. There are alternatives for private property owners. At this point not sure the county can sort through these assertions.

[9:39:54 AM](#) Chairman Hancock said this they understand. This is not a debate they are just allowing some public comments. This is what they will do as commissioners is do more research and where they stand from a legal standpoint. Commissioner Young said to him is not sure that any research has been done on what easements have been done. Mark said they do a law is being broken. Chairman Hancock said the variance is violated this was granted on a smaller size road. Would need to read the information on this. This was just brought to their attention last week. Commissioner Young said this may be in violation but then if another law has precedence then they could have another violation. Chairman Hancock said they need more research.

[9:41:21 AM](#) Bob Baker 4136 E 465 N has more of a question. The original easement in 1978 allowed seven residential lots. They have eight homes on this road. Wasn't the granting of the additional building permit a violation from the beginning? Then the old dirt road have four residential lots on a private road and state statute states they can only have three. This is more food for thought. Chairman Hancock said that is additional thought on what they need to do to correct this.

[9:42:16 AM](#) Dianna Grover 4111 E 465 N. Wants to make a comment that research does need to be done. Feel this is a complete conflict of interest taking legal advice. Is hard to take legal advice from either Mr. Taylor or who he has retained due to the personal issues. Really need to look at the laws and finally settle this.

[9:43:12 AM](#) Rick Miles 446 N 4108 E who has a garage and spent money fixing 465 for everyone else. Concern over the past four years the traffic has significantly increased on this road. Put some signs up to deter the traffic on this road. His fence along his property has been damaged on four different occasions. Had to make repairs and repair the old pole fence. No access to make this look the same. Is very concerned on the bridges that are on there with excessive traffic. Is not a resident but has a nice big garage and pays his property taxes. Hoping to come to some type of resolution. Does not want Josie to suffer any grief over this. Do have a major problem with the traffic that should not be on a private road.

[9:44:38 AM](#) Natalie Sermon actually moved on 4108 as a kid and has moved back to 465 N after she has gotten married. Love the area it is beautiful always had unity. Able to walk to the bridge and throw rocks in. To hear about misdemeanors being filed and teenagers being reported for being by the river. This has always been done since the existence of the subdivision. Had submitted some other information. Was texting with Dennis who was the developer and some of his notes this was not intended for just the few people back there but as a road. Knows they have had issues with people coming through once the church and school have been put in. Now people really use this as a cut through. The reason for the signs was to help in case of a wreck. This was for protection for people going so fast on a dirt road. Acknowledge them to slow down. Did put out signs for slower speed. Did not know that the blue signs meant the road was not a county road. All learning new things. Also appreciates not taking legal counsel from someone with personal interest and is still making comments. Mark said he is still a private citizen.

[9:47:31 AM](#) Chairman Hancock said they are going to stop these comments. Right now they will discuss as a commission. Will need to obtain outside legal counsel. Will not take action today have not selected anyone. Commissioner Young asked on the letter for Josie Smith. Chairman Hancock thinks they need to table this letter. Commissioner Young said they need to remove the deadline. Chairman Hancock said if they table this then no action needs to be taken.

[9:48:20 AM](#) **Motion by Commissioner Clark to table the letter to Josephine Smith so they can do additional research. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

COMMISSIONERS – SHERIFF STEVE ANDERSON

• QUARTERLY JAIL INSPECTION

[9:49:43 AM](#) Chairman Hancock said they are heading to go over and do a jail inspection. Commissioners, Audrey and Central Fire Chief Carl Anderson attend the jail inspection. Met by Sheriff Anderson. Go into the kitchen. This area is very clean. Chairman Hancock asked about the stove. Kitchen staff Chris Wojociechowski said that they are having some issues with the oven. The top works great. They have had the tech out who was surprised at the issues they are having. Will keep working to get this fixed. Sheriff Anderson said he was hoping their numbers would be up in August

but Idaho Department of Corrections may start sending more inmates this month. Commissioner Clark noticed that the budget revenue was low. Sheriff Anderson said that he projected low off of COVID related numbers. Believe they will be above this though. Chairman Hancock asked while on the budget if they took that into account when creating the budget. Sheriff Anderson said they made concessions on vehicles. The one thing that is going to be asked for is the schools are asking for help covering a Resource Officer. Feels like this would help the community after the shooting this last year. Will have \$200,000 less in the budget for vehicles. They are looking good on this year's budget due to be under on food due to the low numbers in the jail. Go into the sallyport area. They have one transport van out doing a transport. This area is clean as well. Head into the control room where Deputy Raymond is working. Deputy Raymond said they have fifty-five inmates. There are forty-nine men and six females. Chairman Hancock asked the local holds. Deputy Raymond said they have twenty-three. Sheriff Anderson hopes these numbers will increase. Have had a few employees leave for different opportunities. Go out through dispatch and the Sheriff's Offices. Are met outside by Deputy Sickenger who shows the commissioners the new K-9 they have gotten.

[10:25:16 AM](#) Back from inspection. Everything looked good at the jail. The commissioners signed off on the quarterly inspection. **(Exhibit C)**

PUBLIC WORKS – DAVE WALRATH

- **CAMERON LANDON – JASON DILON PROPERTY**

[10:25:35 AM](#) Dave said last week Mr. Landon and Mr. Dilon stopped at his office and said the property the easement goes through would be willing to dedicate this so they can have sixty feet. There are set backs with existing buildings. If they split the lot they would need emergency access. Not sure how they would handle this. Kevin said this would require a variance. Would have to see what buildings are in the way and are not compliant to the set back. Would have to have a fifty foot county road up to spec. If they are willing to do this and can make it work. Dave said they have sixty feet of dedicated right-of-way with thirty feet of pavement. Kevin said would possibly need a cul-de-sac. Commissioner Clark asked how many lots they are looking at. Dave said it is an R-5 so each lot can split once. Kevin said this can split once would have six total lots.

[10:28:10 AM](#) Jason Dilon looking to split this lot but are not living there. The biggest question is getting all the other property owners being able to put in a cul-de-sac right on the other side for emergency access that is county spec. Then could have a private road to them. Want to split their property on the west end. Not sure the other property owners are planning to split. Chairman Hancock said they would need to have a draft document and demonstrate ownership. Dave said they would need a legal description with a survey by an engineer. Jason talked with Thompson Engineering but are waiting to see if they can get this allowed. Then they will go and get a plot plan drawn up. Kevin thinks this would be workable. Would need to develop an agreement to know what they need.

[10:30:40 AM](#) Dave said Garfield Estates is adjacent to 100 N. Those three acre lots are not a development now just parcels. They are R-5 so they can split these. Chairman Hancock knows the Wildings have a shop that is not far enough off. Would need to get this deeded first.

[10:32:00 AM](#) Dave said he has a signed statement from Chris Roberts. To whom it concerns is willing to deed the property at 3653 E 100 N to make a public roadway to get to the three ten acre lots. Property already has an easement and is signed. Chairman Hancock said they need to start the preliminary work and move forward.

[10:32:28 AM](#) Cameron asked on the thirty feet just need to be to the cul-de-sac. Dave said then the private drive can go from there. This is 100 foot diameter.

- **2022 PETERBILT DUMP TRUCK PURCHASE – (ACTION ITEM)**

[10:33:31 AM](#) Dave said that he has some bids on the Peterbilt dump truck. Chairman Hancock asked what Bonneville uses. Dave said Western Star. The Kenworth is a year out. Peterbilt they are saying in February. Had to basically reconstruct their dump bodies a couple of times. Dave said they have stainless steel dump body for \$4,700. Chairman Hancock asked the Kenworth pricing. Dave said they are not looking that route due to the timeframe of receiving this.

[10:37:00 AM](#) Dave said the only thing they do not have a Hankey plow. They do not have to make a decision can look this over. Commissioner Clark thinks they may look at the other pricing just so they have an idea. Dave said he can do this but this is Sourcewell pricing.

- **JEFFERSON COUNTY TRANSFER STATION RFP DISTRIBUTION – (ACTION ITEM)**

[10:41:02 AM](#) Dave provides the transfer station information again. Put weighting on the selection process. Thirty percent for experience and qualification. Forty percent for experience of firms other projects. Twenty percent for understanding project objection and ten percent for references. Has six firms he would like to send this to. Chairman Hancock said they still need to advertise. Dave has Great West Engineering out of Boise and Montana did Bonneville Count, Paragon out of Kuna, Forsgren Associates from Rexburg did Fremont County, HDR out of Boise and Pico Engineers out of Payette. This is a specialty type of project. Also says in the RFQ the deadline is August 31, 2021. Four hard copies with one electronic copy. Limited to twelve pages. Once they get these received the four of them will open these and decide. Commissioner Young asked on the road will they need to improve this section by adding a turn lane once this comes about. Chairman Hancock said this is not part of the design but that is a great idea especially where this is by the railroad tracks. Dave said they have two accesses they have the pit that is to the left and that is his choice for the transfer station. Will keep the other access the way it is. That will be part of the facility design.

[10:44:27 AM](#) Chairman Hancock asked if they are giving them anything. Guess they are just doing a selection. Then would have to sit down and look at sizing. Dave said has told them they have population of 30,000 but could be more than that now. The county generates fifteen to twenty tons of municipal waste a year. This is what they will base this off of. Will get all of the numbers they have available. Would like permission to send this out. Chairman Hancock does not see any problem thinks they can proceed. They are not committing any money to this yet.

- **UPDATE**

[10:45:47 AM](#) Dave said the excavator at the landfill is toast. The valve body is bad for the hydraulic. This part alone is over \$40,000. The machine is not worth anything close to this. This is a CAT 315. The availability of excavators right now is pretty limited. Chairman Hancock asked on anything that has been salvaged where they can find a new valve. Dave said this is something they can pursue. Western States does not have any rentals or anything for sale. They have a 2013 Hitachi at Hahn it is comparable size is \$74,000. Thinks they have \$72,000 in the capital line for solid

waste. Need this they are in the middle of trying to certify cells. Too steep for a backhoe. Hoping that Hahn will let them demo this machine. Arnold Machinery has nothing. Commissioner Clark asked the hours on the CAT. Dave believes this had over 10,000 hours. Chairman Hancock asked the year. Dave believes it is a 2005. The 2013 machine has 5,800 hours. There was a Volvo similar in size in Nevada for \$80,000 but had more hours on this. Chairman Hancock said they a ton up in North Dakota. May need to look out of state. Dave said it is a crazy time right now. Can use the backhoe for some of their work. The main thing is getting the cells certified. Working on the otta seals. On 200 N between 2800 E and 2600 E. Then will do a clean chip seal on the Loop Road. Next will head to Roberts then take a break to get some grading and mag-chloride caught up. Do have a new guy starting Thursday will have to get him up to speed on the dump trucks.

MICHELLE FRACKRELL – PARK & RECREATION – MICKEY EAMES

• JEFFERSON LAKE SAFETY ACCESS

[10:52:00 AM](#) Michelle wanted to come and address some of the concerns. Does appreciate what Mickey has done with the lake. The concern is they do not have a pedestrian entrance into the park that is not shared with vehicles. They have a gate that can enter the lake from her property. This was chained by Park & Recreation. Brought up her concern on how they enter the lake with vehicles. Seems like vehicles are not slowing down or respectful to them. Watched a neighbor almost get hit. Statistics show that people are distracted while driving. Feels they may have a vehicle pedestrian accident. Does have some thoughts or ideas on how to improve this. There is a concrete block that has farm equipment if they could put a gate there possibly. Maybe they can have a bell or buzzer to alert the booth attendant so they can show that they have a pass and want to walk through. Would really like an option to walk in. Could even make this three lanes. Most afternoons they have eight to twelve cars waiting to get in. Would like to get some feedback.

[10:56:13 AM](#) Mickey said that she has spoken with Michelle they have the overflow parking lot. They have a car width right there. They do have speed bumps out there so this does slow the vehicles down before and after the booth. Could do a bell or whatever to get the attendants attention to come in. The biggest issue is the gates that people are coming in all the time. Have nine to ten gates now along the property line. The canal is low enough this year people are coming in that way. Really hard to keep eyes on everything. Have one gate they allowed and it is a nightmare to try and keep track of this.

[10:58:00 AM](#) Butch Stewart is the camp host said the gates have a chain that was undone and wasn't aware of where they were coming from. Had groups of teenagers come in with alcohol. Using the gates with multiple people but only one lanyard. As soon as they locked this up another gate shows up. During the celebration noticed additional gates. First hand have caught people using these.

[11:00:54 AM](#) Mickey said they do not have the manpower to watch these gates. This is causing additional problems. As far as the kids coming in they will need to address. If the kids are not old enough to be careful an adult needs to be with them. Not sure what opening another gate would do.

[11:01:53 AM](#) Chairman Hancock asked if they have a walkway on the east side. Michelle said they have a blind corner if they are looking at the booth in a short amount of time a vehicle can be right there. Hoping that people see them. Mickey said the oncoming traffic sees them.

[11:02:59 AM](#) Commissioner Young is concerned they do not have a pedestrian entrance. Mark said they have liabilities for access points. Michelle said around schools and parks they have sidewalks. Michelle knows about her gate and realizes that people use this that shouldn't. Does not want to put razor wire around her fence. Mickey said it is just barb wire. Michelle said she is just letting them know how she feels about the fence it feels like a penitentiary. Similar to the jail fence behind the courthouse.

[11:06:32 AM](#) Rebecca mentions they could have a card reader system. Butch said they still can have just one person leave this open. Chairman Hancock said they could use a turn style. Mickey said each one would need to have a card. Chairman Hancock said they are always going to have people sneak in.

[11:07:24 AM](#) Commissioner Clark is concerned about the pedestrians. Would like to look at a solution. Thinks the gates should be shut. Chairman Hancock is concerned about the safety. Really need to look at how they can do this safely.

[11:08:03 AM](#) Kristine Lund said as far as the gates on the exterior part of the lake would rather see a really good fence around the property. Have been out there and the employees are trying to watch what is going on. Should not be able to have extra entrances. This is a paid park to get into. Understand they have traffic both ways. Maybe more speed bumps would help. Believes the management and camp host is very hands on. Trained to do their best to make the park as safe as possible. If they can come up with a solution for pedestrians. It is at a dead end and is a paid for park. The more they have work at the park the more complaints they have on additional cost. Need to be mindful of all of these things.

[11:12:30 AM](#) Chairman Hancock said the one that was allowed they were supposed to follow the guidelines. Mickey said that Michelle has never been a problem. Understands her angst about this. Chairman Hancock thinks they need to go look at this. Mickey said once you get in there they are not always safe either. Seen cars spinning cookies. Always have to be careful with the amount of people out there each day.

[11:13:49 AM](#) Butch said the exit gate is not as busy just need to make sure they watch for vehicles. If someone is not paying attention they would have to go off road for it to become an issue. Have two sets of speed bumps right at the gate. Commissioner Young said if they did do something they will need to budget for this. Chairman Hancock said they need to do what they can for the pedestrians. They are going to have to budget to put a fence up. Mickey said a tree fell on the fence and now they are hopping over the chain link fence that was there. Chairman Hancock said probably six feet.

[11:17:02 AM](#) Michelle would like to point out how many people use the lake. They have security and responsibility. This is healthy for people to come in. Shame on those for not paying but they do need a good healthy place to go to have some outdoor recreation. Appreciates their time.

PLANNING & ZONING – KEVIN HATHAWAY• **UPDATE**

[11:18:18 AM](#) Kevin provides the updated permit numbers. Have notes on the older permits. These show why the time has overlapped. Have thirty-three waiting for approval that are in the plan review stage. Chairman Hancock said about half of these are in the city. Kevin said the overall permits are at about twenty percent within the city. At 514 permits through June so will be over last year's total of 539 permits. In case they thought building was slowing down. Had their second public hearing last week with the Planning & Zoning Commission. Had a work meeting relating to the zoning ordinance updates. Have gotten some input back from them. Chairman Hancock saw some ambiguity in this. Kevin asked that they mark anything they see. Chairman Hancock said he will one of the questions was on livestock and the amount permitted. Did not address this in one section. Kevin said the issue with livestock is if they have this in an R-1 subdivision. Chairman Hancock was looking back and forth to see what is permitted and what is not. Kevin said the intent on the larger parcels of land if they have five acres want them to have horses or cows. Need to clarify this. Chairman Hancock said he knows a few subdivisions that are in larger acreage zones so they could have horses or cows. The land use doesn't really address this and this is where clarity needs to come. This is the one thing he looked at this morning. Trying to look back and forth to see what is and is not permitted. Kevin said if they have a larger parcel it still limits how many they can have. Was looking due to in a small subdivision someone has three pigs and was asked if this is permitted. So he went looking in the ordinance where this is an R-1 in a subdivision. Kevin said some of this states they can have 4-H animals. If they work livestock they allow a different amount during winter. Need to make sure these do not conflict with other ordinances.

[11:27:35 AM](#) Chairman Hancock said they need to think about this on what is allowed and what is not allowed. Need clarity with the land use. Has been agricultural area and when it gets changes to an R-1 then they say this is not conducive. Need to make sure there is not a conflict they do not have a resolution for. Those that have been there forever are exempt if they have not changed. Kevin said the zoning ordinance, subdivision ordinance and comp plan all complement each other. Doing a lot of work on the land use table. Also working on the commercial subdivision. Will mesh this all together. Chairman Hancock said he has not spent the time he would like. Kevin said it takes a lot of time. Go through this line by line. It is a lengthy process. Not easy to make these updates. Going back to this morning they have to list their options on requirements. Can talk more about this later. Commissioner Young appreciates what they do and will keep moving forward.

ASSESSOR – JESSICA ROACH• **BOARD OF EQUALIZATION**

[11:32:45 AM](#) Chairman Hancock will recess Board of County Commissioners and convene as a Board of Equalization.

○ **ASSESSOR VALUE CHANGE RECOMMENDATIONS – (ACTION ITEM)**

[11:33:13 AM](#) Jessica said these are value recommendations. **(Exhibit D)** Chairman Hancock said this is to address the Assessor's value change recommendations which will be presented to the Board of Equalization. Jessica said then a letter will be sent just to verify the homeowner agrees with the changes. Chairman Hancock said these will have to be approved by the Board.

[11:34:32 AM](#) Commissioner Young has one from Tralee LTD Partnership parcel #RPA00000240450. Looks like they are adjusted to \$1,937,310. Due to capital improvements that were recalculated.

[11:36:31 AM](#) **Motion by Commissioner Young to approve the reassessed value on parcel #RPA00000240450 for \$1,937,310. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[11:37:06 AM](#) Commissioner Young has Teton View LTD Partnership parcel #RPA00000181560. Valued at \$1,069,610. Adjusted value is based on capital improvements that were recalculated.

[11:37:55 AM](#) **Motion by Commissioner Young to approve the reassessed value on parcel #RPA00000181560 for \$1,069,610. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[11:38:25 AM](#) Commissioner Clark said they have Trevor Lance parcel #RP05N37E349482 is due to interior updates per owner. The value is \$88,887.

[11:38:55 AM](#) **Motion by Commissioner Young to approve the reassessed value on parcel #RP05N37E349482 for \$88,887. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[11:39:21 AM](#) Commissioner Clark said he has Rigby Produce parcel #RPA00000172570 shows a reduction of \$5,500,000 removed line from the rolls was moved to Potato Products of Idaho of Idaho Personal Property parcel #RPA00000171001.

[11:39:50 AM](#) **Motion by Commissioner Clark to approve the reassessed value for Rigby Produce parcel #RPA00000172570 for \$4,376,866. Second by Commissioner. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[11:40:08 AM](#) Commissioner Clark said the next is Potato Products of Idaho parcel #RPA00000171001. Added value of \$5,280,000 for a new production line being added to the rolls.

[11:40:32 AM](#) **Motion by Commissioner Clark to increase the value to \$10,962,599 for Potato Products of Idaho parcel #RPA00000171001. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[11:41:02 AM](#) **Motion by Commissioner Clark to approve a decrease in value of \$1,115 for Nolan Rhodehouse parcel #RP05N38E340651 due to adjoining parcel to an ag field. It is being farmed and is recommended ag value for the parcel. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[11:41:59 AM](#) Chairman Hancock said they will recess the Board of Equalization and reconvene as a Board of County Commissioners.

[11:42:26 AM](#) Jessica said they have a few on the homeowners they will come in with.

SOCIAL SERVICES – AMY JOHNSON

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

[11:43:03 AM](#) Motion by Commissioner Young to go into executive session 31-874 & 74-206 (D) – Records exempt from disclosure. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

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

[11:57:20 AM](#) Chairman Hancock said they discussed an indigent case.

[11:57:28 AM](#) Motion by Commissioner Clark to release a medical lien with stipulations of receiving \$1,000 on case #2011-48. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

SHERIFF'S OFFICE – DEPUTY MIKE MILLER

- **INTEROPERABILITY RADIO USER AGREEMENT WITH STATE RADIO SYSTEM – (ACTION ITEM)**

[11:58:16 AM](#) Deputy Mike Miller has an agreement with Ada County. The state for emergency communications uses the Motorola system. The five county area here went with a different system without a brand name for cheaper. Radios are all 700 megahertz. They can operate on the state systems with stations that are on their radios. The fire down in Firth they all went to a specific channel to connect. The state is asking they have their county radio channel on their dispatch console. Then if another county is coming to the area they know which channel to go to. Regional channel is used in the transport van when they transport throughout the state. Now they can call for help and get status checks from dispatch. Want them to sign an agreement this goes over the rules when they are on the system. Knew they would ask so has already had their legal review this. It is seven pages. Nothing really jumps out. Do have an exhibit A which does not really apply to them this is more if they access their building.

[12:00:58 PM](#) Mark said he has read this. Mike said he found it very exciting. Mark said this is straightforward and is agreeing to abide by rules. Commissioner Clark asked if there rules are any different than ours. Mike said no there are times when the Idaho State Police cross switch out in the Montevue area. There are parts in Clark and Bonneville County as well. Feels this looks good.

[12:02:20 PM](#) Motion by Commissioner Young to approve the Southwest Wireless Network Integrated Network Interoperability agreement between Jefferson County and Ada County Sheriff's Office. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

COMMISSIONERS

- **QUARTERLY REPORT**

[12:03:11 PM](#) Colleen provides a copy. Feels they are in good shape financially. PILT payment came in June for \$568,888.59. Did come in so that includes this. Chairman Hancock said they now have over a million in that fund. Asked on the solid waste if they have the balance to pay the courthouse off. Second need to know how much out-of-county is in the solid waste fund that is available to go toward the balance. Colleen said they will do the transfer for the payment at the end of the year. Believe last she checked this was \$4,300,000. They will be close they may have to make an extra payment. Chairman Hancock said this is something he wants to make sure is in the budget remembered when he saw the amount in Solid Waste. Colleen thinks they will be close. Chairman Hancock said if they need to they can use PILT. This is a payment they need to fiscally take care of this. Colleen said they would probably save \$1,000,000 in interest. The accounts in the negative may need to make some transfers before the end of the year. Commissioner Young thinks it will be exciting to get the courthouse paid off. Chairman Hancock said they have had to spend a lot on upgrades on the courthouse and the jail. Need to finally get the building paid off.

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

[12:09:27 PM](#) Motion by Commissioner Young to approve commissioner meeting minutes from June 14, 2021 with noted change. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

[12:15:00 PM](#) Motion by Commissioner Young to adjourn at 12:15. Second by Commissioner Clark. All in favor – aye. Motion passed.

Scott Hancock
Chairman of the Board

Audrey Moon
Clerk of the Board

Colleen C. Role
County Clerk



7/26/21
Date

7/26/2021
Date

7/26/21
Date