

FREMONT COUNTY COMMISSIONERS MEETING MINUTES
January 7, 2013

Present for the meeting was: Commissioners Skip Hurt, Lee Miller and Jordon Stoddard.

Also attended by: Deputy Clerk Laura Singleton, Assessor Kathy Thompson, Sheriff Len Humphries, Treasurer J'Lene Cherry, and Prosecuting Attorney Joette Lookabaugh

Commissioner Hurt called the meeting to order and welcomed those in attendance.
Extension Agent Lance Ellis offered the prayer.
Public Works Director Brandon Harris led the pledge.

Elected Officials & Department Heads

Emergency Management Director Keith Richey reported they have been monitoring the rivers for ice build-up. He has been working in Island Park on sustainable fire issues. He reported the public has been very responsive to this program. Mr. Richey stated he is getting ready to do Hazmat reports. He also stated there is an extra \$7,000 available to send Sheriff Humphries' officers to SWAT training. Mr. Richey stated he has also been working on several grants.

Five County Juvenile Detention Administrator Nicky Chavez reported they had a bit of a water problem with a broken sprinkler head but everything is cleaned up now. They have hired five part time reserve officers and are preparing to send three of their employees to POST. Mr. Chavez stated they are working with PREA. He also reported that there are fourteen kids in treatment with several that have been released. Mr. Chavez gave a quarterly report of the numbers at the facility. He is now preparing for the Five County Board Meeting next week.

Extension Agent Lance Ellis reported they have finished up the last of their classes that were taught at 5C. Mr. Chavez thanked Lance for sharing his expertise with the student there. Mr. Ellis stated they have been running the Master Gardner Program at the Work Camp. They will start doing projects when the snow is gone in the spring. He would like any suggestions on work they could do in the community to use as service hours. They will start the Master Gardner Program for the people in the community on Jan. 30th. They will be holding a Grain School on Feb. 7th at the Relay Station. Mr. Ellis stated they are hoping to start a new program for people who own small acreage. They would like to be able to teach them ways to farm their land and make money off the ground they own or at least make it productive. He reported on the Designated Surveillance Area Line meeting. This involves testing for brucellosis in cattle. All of Fremont County is in this surveillance area.

4-H Coordinator Dana Miller stated now is the time she starts to go to the public schools to teach classes to the students. Ms. Miller stated she is traveling to the Capital with a number of students in February to learn about government. She reported she received a grant from Walmart and also Northwest Farm Credit. She hopes to buy some sewing machines with the money to teach kids how to sew.

Sewer Supervisor Dan Lostutter gave the year-end report for 2011-2012 for the Mack's Inn treatment plant and the Last Chance treatment plant. They have put a hold on working on the Lift Station due to the onset of winter. Hopefully they can start working on it again in June or July. Mr. Lostutter reported on the total number of lines they have cleaned. Mr. Lostutter reported they held two classes last fall. One class was on electrical safety and one was on repairing pipes without having to dig them up. He stated both classes were very good. Mr. Lostutter reported they hired a

new employee that started today. He also reported snow making season is under way and they have gone from working four days a week to five.

Weed Supervisor Bryce Fowler reported they have been working on grants. He has been asked to do a presentation at a conference in Twin Falls. Mr. Fowler stated he will be spending a lot of time in Boise working on getting grants. Mr. Fowler also reported the state is changing things on the aquatics program so he has been working on that. So far Idaho has tested negative for mussels. They have also been working on setting up their new 4-wheelers and equipping them with a GPS system.

Assessor Kathy Thompson reported things are going well in her office. The appraisers have been out doing appraisal work. They have gotten a lot of calls regarding personal property and how it is going to affect them. They have had quite a few deeds come through which has surprised her. Ms. Thompson stated mapping is going well. They have started some property reductions which usually benefits the older people. She reported the office looks really nice now that all the work has been done. Ms. Thompson stated the Motor Vehicle Department has been very busy. There has been concern about Fremont County not getting all the money for roads when people license their vehicles. They did some checking into this and stated there really aren't very many Fremont County residents who buy their plates in Madison County.

Planning and Building Administrator Tom Cluff stated things are going well. November and December were slower like they typically are. They are in the middle of renewing cabin permits. So far there have been no problems. He reported there still are many people who rent cabins but are not getting permits. One of their employees will be cutting back their hours while he is in school. He reported they need to be thinking of people to replace those who are working on the HUD Grant who are leaving office. Commissioner Miller asked Mr. Cluff to check into those people who have moved trailers or mobile homes onto their property by filing for hardship status and see if they still qualify for this.

IT Administrator Lisa Turner reported that the tower is now up and turned the rest of the time over to her assistant Josh Warnke to update the commissioners on the status of the rest of the work that needs to be done on the tower.

Josh Warnke updated the commissioners on the work that still needs to be done on the tower and how they will be hooking up to all the departments. There has been some concern over radiation levels from the tower. Mr. Warnke stated the radiation level from the tower is very low because the antenna is actually higher. Commissioner Miller asked Keith Richey to check into some kind of funding so we can put a fence around the tower because there could be some safety issues that arise.

Public Works Director Brandon Harris reported things are going well. There haven't been too many complaints as far as plowing goes. He reported the sander went down, so they had to make a quick trip to Twin Falls to get a part. Mr. Harris stated Red Road is closed now. The crews have been working on shoulder material. The crews will be starting work on the cross cut bridge on Monday (400 North). They will then work on the bridge in Chester. Mr. Harris reported Stonebridge is being redesigned with four foot piers instead of eight foot piers. Hopefully this will bring the cost of the project down. Also the construction window is bigger so that should help lower the price of the bridge. Mr. Harris stated they would like to work on the Salem Highway, but they still need to find help with the funding. Mr. Harris also reported the St. Anthony Landfill Transfer Station design for the landfill should be back this week so they can review it.

Juvenile Probation Director Darin Burrell stated they are seeing a lot more marijuana issues and said this was to be expected because of the issues in the surrounding states. He reported that kids are stealing cough medicines now and prescription medications are still an issue.

Treasurer J'Lene Cherry stated they are winding down on taxes. They have collected close to 62%. They are starting on the warrants. Ms. Cherry stated she will send out reminders first before they send out warrants. She also reminded everyone that credit card bills need to be turned in by the 12th of the month with receipts. Ms. Cherry reported she is working on a public administrator case and stated it will have to be published in the newspaper before we can do any more with this. She stated she hopes she can close this case out in about a month. She stated her office doesn't have any heat this morning and they have called someone to come check it.

Sheriff Len Humphries reported 12 inmates in county custody this morning. There were several slide offs this morning. He reported deputies have started doing snowmobile checks. There is concern on how things will work next year with snowmobile licensing. Mr. Humphries stated that according to Idaho code, those who have filed for a concealed weapon permit will not have their names released to the public. He stated they will need a replacement for Commissioner Hurt on the DIGBY 6 Board. Commissioner Jordon Stoddard will take Commissioner Hurt's place. There has been a lot of talk about increasing 911 fees. Sheriff Humphries stated he doesn't foresee this happening until possibly next year though.

EMS Director Bob Foster reported numbers are basically the same as last year. He reported collections seem to be higher than last year. Mr. Foster stated Radio Narrow Banding has been completed. Mr. Foster stated that the bids have been sent out for the new ambulance. Also, the training program for 2013 starts next Tuesday. He reported the Island Park area had a busy weekend and the St. Anthony area had a busy week last week.

Prosecuting Attorney Joette Lookabaugh stated she had a quiet holiday with her family. She reported she is wrapping up things in her office since this is her last week as prosecutor.

Commissioner Lee Miller stated that he hoped everyone had a great holiday with their families. He stated he has mixed feelings at this time with Commissioner Hurt leaving office and Prosecuting Attorney Joette Lookabaugh also leaving office. He also reported he had a conference call with Dustin Miller last Friday about wolf depredation. Apparently there was some money left over so they were able to pay some late applicants. He stated they have a lot of documentation coming in on loss of livestock and money is running out. Dustin Miller will be meeting with the legislature on this issue. Commissioner Miller stated he is looking forward to moving ahead with the Transfer Station at the Landfill. He also expressed appreciation to all the employees for all the hard work they are doing.

Commissioner Jordon Stoddard has received an estimate for the repairs on the electrical work at the fairgrounds. He is still doing a little bit of work in the Assessor's Office. He went to the swearing in of the new judge. He thanked everyone for their work.

Commissioner Skip Hurt stated this is his last week as County Commissioner. He stated we are all under scrutiny of the public and everyone watches us. He appreciates the way everyone works together here. Everything hasn't always gone smoothly but it has all been ironed out and come together.

Commissioner Hurt made a motion to go into executive session pursuant to IC 67-2345(1)(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student; at 10:18 a.m. Commissioner Stoddard seconded the motion. A roll call vote was taken with Commissioner Miller voting "Aye", Commissioner Stoddard voting "Aye", and Commissioner Hurt voting "Aye". Commissioner Hurt declared the meeting open at 10:34 a.m.

Veterans Service Officer Stacy Whitmore RE: Increasing Office Hours

Ms. Whitmore asked the commissioners if she could increase her hours from six to twelve hours per week. She stated that she has been busy enough that she has to tell veterans that they will have to come back the following week in order for her to help them. The commissioners feel that there is enough work for her to add the additional hours.

Commissioner Stoddard made a motion to change Veterans Service Officer Stacy Whitmore's hours from six per week to twelve per week. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Parks and Recreation Director Tamra Cikaitoga RE: 2014 Grant Applications

Ms. Cikaitoga reported she has been putting together three grant applications. She needs approval to move forward with a boat ramp at Jump-Off Canyon, which is about ¼ of a mile from the Ashton Bridge. She also stated she would need to use the Road and Bridge Crew to get this done. She would also like to put new boat docks in at Buttermilk and Mill Creek. There was discussion on putting some parking area in at the Jump-Off area.

She also reported that the Forest Service is working on grant applications so they can repair a couple of boat docks in the Island Park area.

Commissioner Hurt made a motion to sign and approve a grant application with Idaho Department of Parks and Recreation in the amount of \$3,000 with a match from the county of \$2,500 for a Jump Off Canyon Angler Access Development Project. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Hurt made a motion to sign and approve a grant application with Idaho Department of Parks and Recreation in the amount of \$10,000 with a match from the county of \$3,000 to fund the upgrade of Mill Creek Boat Launch. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Hurt made a motion to sign and approve a grant application with Idaho Department of Parks and Recreation in the amount of \$10,000 with a match from the county of \$3,000 to fund the upgrade of boating facilities at Buttermilk Boat Launch. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Ms. Cikaitoga updated the commissioners on how trail grooming is going. She stated everything seems to be going good but there just isn't a lot of snow up there.

Planning and Building Administrator Tom Cluff RE: Department Report

Mr. Cluff stated that he didn't really have any more to add than what was said this morning. He will report next week.

Social Services – Debbie Adams Re: Indigent Claims

Commissioner Hurt made a motion to go into executive session pursuant to IC 67-2345(1)(d) to consider records that are exempt from disclosure as provided in chapter 3, title 9, Idaho Code at 1:00 p.m. Commissioner Stoddard seconded the motion. A roll call vote was taken with Commissioner Stoddard voting "Aye", Commissioner Miller voting "Aye", and Commissioner Hurt voting "Aye". Commissioner Hurt declared the meeting open at 1:10 p.m.

Commissioner Miller made a motion to approve case #G2013-16, deny case #M2013-9, and deny case #M2013-11. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioners signed three new liens and two lien releases.

Public Works Director Brandon Harris RE: Department Reports

Mr. Harris reported on the issue of plowing John Searle's road. Mr. Searle had to fill out a form and according to the score on the form he does not qualify to have his road plowed. Mr. Searle still feels that the county should plow his road. Mr. Harris asked the commissioners what they would like to do. The commissioners discussed other roads in the county that are not being plowed because they are private roads or because the county does not maintain those roads. The commissioners stated we need to stick to the standards that the previous Public Works Director put in place to determine if they qualify to have their road plowed. It was also stated that Mr. Searle lives on a steep road and it is hard to get the graders up the hill. The commissioners feel that it would be in the county's best interest to stick with the county's standard; therefore they will not plow the road to his house.

Landfill – There were no issues at this time.

Sewer – Mr. Harris brought in a document for the commissioners to sign giving an extension on the Mack's Inn Sewer Expansion Project. Also, Mr. Harris stated that there is some concern regarding someone trespassing at the Island Park Sewer Station and looking into the garage on December 26th.

Mr. Harris stated he is going to meet with people today in Driggs to make sure we are meeting the requirements of both OSHA and DEQ on the Transfer Station.

Commissioner Hurt signed a contract extension for the wheel case loader with Bank of Idaho.

The commissioners directed Mr. Harris to go ahead and order a new loader.

Mr. Harris asked the commissioners if they would be willing to hire two of the work camp guys, whose time is about up, to work for the county. One would be employed at the Landfill and the other would work with Carey Daniels in maintenance. The commissioners asked to put this on the agenda for next week and discuss it some more at that time.

Jerry Greenfield/Trails to Yellowstone Development Co. RE: Letter of support for Forest Service Land Swap

The commissioners were updated on the current standing of the Land Swap between Trails to Yellowstone Development Company and the Forest Service. The land that would be swapped is currently the ground that the Landfill is on.

Mr. Greenfield gave a presentation on the history of the company's organization and how the idea came about. He gave statistics on the tourism to Yellowstone National Park. He stated the concerns he has regarding Yellowstone National Park. They feel they can come up with solutions to the congestion, lodging, parking, etc. They would like to create a place outside the park that would have a variety of restaurants available. Also, water parks and family type entertainment would be available. He stressed the economic development that this project would bring to the area. The first thing that would have to be done though, is finalizing the land swap. Therefore, they are asking the commissioners for a letter of support for the land swap.

There was some discussion of the pros and cons of creating something like this in Island Park. Commissioner Stoddard stated he likes to be able to drive his own vehicle through the park. He is

not sure he likes the idea of traveling through the park on a tour bus as was stated by Mr. Greenfield.

Mr. Cluff stated this letter that is being requested is just to support the land swap, not what they are proposing to do with the land.

Mr. Miller stated the land swap would be a positive thing for Fremont County. He feels we should support the land swap and if that goes through, we will deal with the other issues as they come about.

Commissioner Hurt directed Mr. Cluff to draft a letter for the commissioners to sign.

Board of Equalization 2nd Sub Roll Only

Commissioner Hurt opened the Board of Equalization 2nd Sub Roll at 2:27 p.m. There are no requests at this time. Commissioner Hurt closed this at 2:29 p.m.

Sheriff Len Humphries RE: Contract for Communications System

Sheriff Humphries brought in a contract for the commissioners to sign to have AVTEC put in a radio console at the Sheriff's Office.

Commissioner Hurt made a motion to approve the contract with AVTEC for the radio communication system. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Sheriff Humphries stated the school district has approached him about hiring an officer to rotate in the schools. This officer would work about five or six hours a day. The commissioners feel this would be a good idea.

Storage building at Sand Dunes

Shannon Bautista, from the Bureau of Land Management, stated they are applying for a grant to build a storage building at the Sand Dunes. This grant is based off the Motor Vehicle Fund and the Off-Road Fund. This building will be built on BLM ground. She presented a floor plan of what they would like to build. The BLM would like to know how much money the county would be able to come up with to help fund this project. With this storage building, it would help to clean up the area so everything is stored in one place and there won't be several little trailers that store supplies.

Commissioner Miller stated that to begin with, we just wanted to build something that would house the sand rail and now the project has grown to be a lot bigger building than was expected.

Everyone discussed the things they would like to have available at this facility. A major issue is making a storage area that is big enough to house the sand rail so there is a bigger opening to pull the sand rail in and out without damaging the tires. Commissioner Miller stated he feels safe in contributing about \$30,000 to this project. Mr. Foster also stated that we need to consider how we will provide for the utilities there. BLM stated they will be responsible for maintaining the facility, but would welcome help from the county in any form.

Commissioner Miller would like an alternate plan in place in case the grant does not come through. He would also like an agreement where there is no limit of time as far as being partners with the BLM on this project. Ms. Bautista stated she will look into that.

Commissioner Miller made a motion to apply for a grant together with the BLM with a match of \$30,000 to build a storage facility at the Sand Dunes. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Miscellaneous

Commissioner Hurt made a motion to approve the claims for January 7, 2013 as presented. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Hurt made a motion to approve a duplicate copy of Liquor License #36 to Golden Bear Lodge, LLC doing business as Lakeside Lounge. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Miller made a motion to approve the Junior College application for Brittney Leavitt and Aubree Hill. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

We currently have three lawsuits pending that are being handled by our civil deputy Blake Hall. They are Flying A Ranch, Inc., et al. v. Fremont County; Gwaltney, III, et al. v. Fremont County; and Stoddard Bros. v. Fremont County. Additionally, we have the case of Huber v. Fremont County that Mr. Hall has been our legal counsel. In each of these cases, the incoming prosecuting attorney, Karl Lewies, has a conflict of interest and neither he nor his office can represent us. Therefore, pursuant to our authority under I.C. 31-813, and to ensure continuity in the representation of the County, Commissioner Miller moved that we retain Blake Hall of the firm of Nelson Hall Parry Tucker, P.A. to represent us in the above matters commencing on January 16, 2013. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

There was some discussion on the Legislative Tour that will be held this year. Rexburg Chamber of Commerce would like Fremont County to contribute \$5,000 to help cover costs for this event. Commissioner Miller stated he has reservations about donating that much money. Commissioner Stoddard also feels that \$5,000 is too much. Commissioner Stoddard stated he would like to discuss this with people from the county and hear how they feel about this. No decision was made on whether to contribute money.

There being no further business to come before the board the meeting was adjourned.

LeRoy Miller, Chairman
Fremont County Commission

Attest: _____
Laura Singleton, Deputy Clerk