

**FREMONT COUNTY COMMISSIONERS MEETING MINUTES**  
**September 30, 2013**

**Present for the meeting was:** Commissioners Lee Miller and Jordon Stoddard

**Also attended by:** Clerk Abbie Mace, Deputy Clerk Laura Singleton, Assessor Kathy Thompson, Sheriff Len Humphries and Treasurer J'Lene Cherry

Commissioner Miller called the meeting to order and welcomed those in attendance. Sheriff Len Humphries offered the prayer. Treasurer J'Lene Cherry led the pledge.

**Elected Officials**

Assessor Kathy Thompson stated that she has hired a new employee and she started today. Her name is Cari Angell and she feels really good about her. She also stated that they visited with several people last week with various problems. Ms. Thompson reported there is an individual who stated that he will be filing a small claims against her and Clerk Abbie Mace because they did not accept his property tax appeal application which was late. Other than that, she stated that everything else in the office is going well. Her office is preparing for the upcoming Board of Tax Appeal hearings that will be held in October.

Treasurer J'Lene Cherry stated that she does not have a lot to report today. She reported the tax cancellations for the month of June in the amount of \$8,973.43.

Sheriff Len Humphries reported nine inmates in custody this morning. He stated they had a busy week last week but things went well. He also reported there was a complaint of someone who high centered their boat at the Island Park Reservoir. This person said we should be placing buoys out in the water to mark the high spots. Clerk Mace stated that we don't own the reservoir so we can't do that. Sheriff Humphries stated that he received the proposed contract for the new 911 system, but has not had a chance to review it yet. Sheriff Humphries reported on the justice meeting that he attended. He stated there was a lot of talk about increasing fees for the Idaho Department of Corrections for housing inmates. Currently there are 240 inmates that are housed out of state. There was discussion on how law enforcement is responsible for transporting mental health patients. Sheriff Humphries stated they are working on some type of solution to this, because he agrees that this is not the best approach for these people.

Clerk Abbie Mace asked the commissioners if they would be willing to cancel the commissioners meeting on the 4<sup>th</sup> of November so her office can get ready for the city elections on Tuesday, November 5<sup>th</sup>. The commissioners agreed to cancel their meeting on November 4<sup>th</sup> and meet on the 28<sup>th</sup> of October instead. They will not meet on October 21<sup>st</sup>. The shelving has been ordered for the storage room downstairs which totaled a little over \$10,000. The door on this room will need to be changed and she would like install a more secure lock on it. She also reported the outside auditors will be here tomorrow count all the cash on hand in the offices.

Commissioner Jordon Stoddard stated that he attended the IAC meetings last week. He reviewed some of the things that were discussed there. He stated that plans are finished for the EMS Building at the Sand Hills and there were four contractors who took the plans in order to bid on the project.

Commissioner Lee Miller stated he enjoyed the IAC meetings last week. He reported on the Public Lands Meeting he attended and stated it was good. There was a Wolf Depredation Meeting on Wednesday. Commissioner Miller stated that there is \$80,000 that they are going to be able to disperse to people who have been affected by the wolves. He stated there is still money that they

need to spend, they just need to decide how to spend it. He also stated that he would like to inform people in the county of the projects that we have spent money on or are currently working on. It could be in the form of a letter or we could publish it in the newspaper so they know how money is being spent. He would like the department heads to compile a list of the projects for each of their departments.

#### **Karolyn Hodge RE: St. Anthony Senior Citizen Update**

Ms. Hodge reported that because of the reorganization of ECAP, she has been able to receive more money for the senior programs. This has relieved them of a lot of burden of worrying where the money is going to come from to sustain this program. She also reported that they applied for a bid which they won. This will also bring in more money for the senior citizen program. Ms. Hodge stated that they received \$8,400 for transportation boardings. This is a program where the seniors are given rides to go shopping or go to the senior lunches. The money they are given will be turned over to the county to help cover the costs of maintaining the transportation program. In July, they had 215 boardings and in August, there were 270 boardings. She stated that Wednesdays are their busy days. She stated that things are going really well for the center right now. Things look really hopeful and she feels that may be due to younger board member who are helping them quite a bit. She also reported that they deliver about 40 meals a day and they are delivered all throughout the county.

#### **Dean Bawden RE: Cowan Road**

Mr. Bawden explained a little of the history on this road. He stated that he put up a fence on both sides of this road. Recreational vehicles have destroyed the fence on the west side of the road and it will cost \$25,000 to replace it. He stated that this is private property so people should not even be riding there. He presented some pictures that show how the fence has been destroyed. The county has a deeded right of way on this road. He wonders why the ATVs do not just ride on the paved road instead of alongside the road creating huge amounts of dust which is also a concern. He stated that the dust creates a health hazard. The Bawden's feel that the fence has been torn down deliberately. They wondered about making the road a dual use road. Sheriff Humphries stated that making the road dual use means that snowmobiles would be able to go on the road also and he is not comfortable with that. Sheriff Humphries does not like to have underage drivers on the road. As the road is now, all vehicles must have a license plate to be able to use the road. That means ATV's are allowed on the road as long as they have a license plate on them. There was reference to Ordinance 2012-01, which talks about vehicles licensed to be on roads. Mr. Bawden feels that according to Ordinance 2012-01, people should not be riding along the sides of the road either. Sheriff Humphries agreed with that. Mr. Bawden also suggested maybe even changing the speed limit on that road. However, before the speed limit can be lowered, an assessment of the road would have to be done first.

#### **4H Director Dana Miller/Executive Session IC67-2345(1)(b)**

Commissioner Miller 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 10:53 a.m. Commissioner Stoddard seconded the motion. A roll call vote was taken with Commissioner Stoddard voting "Aye" and Commissioner Miller voting "Aye". Commissioner Baxter was absent from the meeting. Commissioner Miller declared the meeting open at 11:13 a.m.

### **Juvenile Probation Director Darin Burrell RE: Quarterly Report**

Mr. Burrell reviewed the quarterly reports with the commissioners. He stated that there are a couple high profile cases that will be coming in soon that they will be dealing with. He stated they are working really hard for Fremont County. Mr. Burrell stated that the state has been awarded \$1.5 million per year for 5 years to be spent on prevention programs. He will be working on ways to spend the money in our area. Mr. Burrell reported juveniles on probation have performed 998 hours of community service which would amount to \$7,235.50 if we would have had to pay a minimum wage worker. They have also utilized 3,000 hours of intern service. These result in a significant savings to taxpayers in Fremont County. Mr. Burrell asked the commissioners for permission to purchase another vehicle for the probation officers. He presented three quotes for used vehicles for the commissioners to consider. Mr. Burrell stated that they do have money in their budget to purchase one. Mr. Burrell would prefer to go through Stones and purchase a 2012 Toyota Camry for \$17,013 which was the lowest bid.

Commissioner Miller made a motion to allow Darin Burrell to purchase the 2012 Toyota Camry from Stone's Town and Country for the amount of \$17,013. Commissioner Stoddard seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Baxter was absent from the vote.

### **Social Services – Debbie Adams Re: Indigent Claims**

Commissioner Miller 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 1:03 p.m. Commissioner Stoddard seconded the motion. A roll call vote was taken with Commissioner Stoddard voting "Aye" and Commissioner Miller voting "Aye". Commissioner Baxter was absent from the meeting. Commissioner Miller declared the meeting open at 1:19 p.m. Commissioner Stoddard made a motion to approve case #G2013-76 and deny the reconsideration of case #G2013-62. Commissioner Miller seconded the motion. Commissioner Baxter was absent from the vote.

Commissioners signed one new lien and one lien release.

### **Social Services – Debbie Adams Re: Indigent Appeal Hearing Case #M2013-20**

Commissioner Miller 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 1:20 p.m. Commissioner Stoddard seconded the motion. A roll call vote was taken with Commissioner Stoddard voting "Aye" and Commissioner Miller voting "Aye". Commissioner Baxter was absent from the meeting.

Commissioner Miller declared the meeting open at 1:40 p.m.

### **Planning and Building Administrator Tom Cluff RE: Department Report, Beard Subdivision, Fall River Springs Subdivision**

Mr. Cluff presented the Beard Subdivision Short Plat for the commissioner's approval.

Commissioner Stoddard made a motion to approve Beard Subdivision #1 along with the Findings of Fact and Conclusions of Law. Commissioner Miller seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Baxter was absent from the vote.

Mr. Cluff presented the Fall River Springs Subdivision for the commissioner's approval. There was discussion on whether or not this piece of ground is in a flood plain. Mr. Cluff stated that FEMA signed a letter stating that it is not in a flood plain. Commissioner Stoddard stated that a couple

years ago this piece of ground was under water due to the river being blocked by ice build-up. Commissioner Stoddard stated he would like to hold off on making a decision on this subdivision until Commissioner Baxter can be present. Commissioners tabled this until next week.

Mr. Cluff stated that Ms. Cikaitoga will come in next week to give a report on the Golf Course. He also stated that permits are looking good for the month of September.

### **Kara Hidalgo/Idaho Art Lab**

Daniel and Kara Hidalgo came to thank the commissioners for their donation to the Idaho Art Lab. Mr. Hidalgo stated that the money they have donated will be well worth it. Mr. Hidalgo stated that they became an independent 501C3 entity on September 10<sup>th</sup>. He reported that they created some art events for the 2013 Legislative Tour. He also reported that some of Ms. Hidalgo's photography of Henry's Lake and the Sand Hills area were used to help promote our area during this tour and Ms. Hidalgo was asked to be the official photographer for it. Mr. Hidalgo stated that they just finished having their fourth Artist in Residence who was an expert on pastels. He feels this program will bring a lot of prestige to our area. There will be a Celebrity Doodle Show held September 27<sup>th</sup> thru October 5<sup>th</sup> at Idaho Art Lab.

### **Prosecuting Attorney Karl Lewies RE: Deputy Prosecuting Attorney's Proposed Independent Contractor Agreement with the County**

Mr. Lewies received a letter from Mr. Dustin's law firm in Idaho Falls stating that the law firm would like to offer 280 hours of service. Mr. Lewies stated that this only amounts to 2.9 days each month. Mr. Lewies would like a deputy attorney in his office at least three to four days a week. Currently the Deputy Prosecuting Attorneys are employees. The commissioners stated they would like to review the letter that Mr. Lewies submitted before making a decision on this. Also, they would like Commissioner Baxter to be present.

Commissioner Miller made a motion to amend the agenda to include an executive session IC67-2345(1)(b) and also to recommend a board member to the ICRIMP Board of Trustees. Commissioner Stoddard seconded the motion. A full voice vote was heard with both commissioners voting in favor.

Commissioner Miller made a motion to nominate Seth Beal to the ICRMP Board of Trustees. Commissioner Stoddard seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Baxter was absent from the vote.

Commissioner Miller 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 2:41 p.m. Commissioner Stoddard seconded the motion. A roll call vote was taken with Commissioner Stoddard voting "Aye" and Commissioner Miller voting "Aye". Commissioner Baxter was absent from the meeting. Commissioner Miller declared the meeting open at 3:08 p.m.

### **Miscellaneous**

Commissioner Miller made a motion to approve the claims for September 30, 2013 as presented. Commissioner Stoddard seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Baxter was absent from the vote.

Commissioner Stoddard made a motion to approve the minutes from September 3, 2013 and September 16, 2013. Commissioner Miller seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Baxter was absent from the vote.

Commissioner Miller made a motion to approve the minutes from September 9, 2013 as amended. Commissioner Stoddard seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Baxter was absent from the vote.

Commissioner Miller made a motion to approve liquor license #30 to Meadow Creek Lodge and #31 to Truthhunter. Commissioner Stoddard seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Baxter was absent from the vote.

Commissioner Stoddard made a motion to approve the junior college applications for Jade Christensen, Christopher Tucker, Emily Chelson, Justin Nelson, Seth Kelley, Lidia Cade, Megan Pincock, Hunter Wade, Eliza Stone, Courtney Hildebrand, Roderick Coverley, Jr., Jeffery Hanson, and Asencion Junior Gonzalez to the College of Southern Idaho. Commissioner Miller seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Baxter was absent from the vote.

Commissioner Miller made a motion to sign the Change in Terms Agreement for the asphalt zipper with Bank of Idaho. Commissioner Stoddard seconded the motion a full voice vote was heard with both commissioners voting in favor. Commissioner Baxter was absent from the vote.

Commissioner Miller made a motion to sign the Change in Terms Agreement for the two Cat Graders with Bank of Idaho. Commissioner Stoddard seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Baxter was absent from the vote.

Commissioner Stoddard made a motion to approve the bid from Elite Roofing Systems to finish up the metal work on the roof of the cooling sheds at the stud mill property for the amount of \$7,900 plus and additional \$1,500 for under layment. Commissioner Miller seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Baxter was absent from the vote.

Commissioner Miller made a motion to deny the additional terrorist coverage policy in the amount of \$37,918 from ICRMP. Commissioner Stoddard seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Baxter was absent from the vote.

Commissioner Stoddard made a motion to approve the polling places for the November 5, 2013 election. Commissioner Miller seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Baxter was absent from the vote.

Commissioner Stoddard discussed the bids that were submitted for the air conditioner in the Sheriff's Office. Commissioner Miller made a motion to accept the bid proposal from Judco Heating, Inc. for the amount of \$15,790 for 2 three ton rooftop units and 1 five ton rooftop unit. Commissioner Stoddard seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Baxter was absent from the vote.

Commissioner Stoddard made a motion to sign the agreement to purchase the property from Lenz Estate for \$194,500 for a county gravel pit. Commissioner Miller seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Baxter was absent from the vote.

Commissioner Stoddard made a motion to sign the agreement to purchase the gravel on the Lenz property from Fall River Sand & Gravel for \$12,500. Commissioner Miller seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Baxter was absent from the vote.

Commissioner Stoddard made a motion to sign the agreement to purchase the easement for \$15,000 plus in kind work from Cathy Stegelmeier. Commissioner Miller seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Baxter was absent from the vote.

Commissioner Stoddard made a motion to sign the agreement to purchase the easement across Wayne Lenz property for the amount of \$0. Commissioner Miller seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Baxter was absent from the vote.

Commissioner Miller made a motion to ratify the agreement with Targhee National Forest to distribute RAC money for the replacement of Warm River Bridge, electrical work at Johnny Sack Cabin, and the spraying of noxious weeds Commissioner Stoddard seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Baxter seconded the motion.

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

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LeRoy Miller, Chairman  
Fremont County Commission

Attest: \_\_\_\_\_  
Abbie Mace, Clerk