

FREMONT COUNTY COMMISSIONERS MEETING MINUTES
April 3, 2023

Present for the meeting was: Commissioners Scott Kamachi, Blair Dance and Rick Hill

Also attended by: Clerk Abbie Mace, Deputy Clerk Kim Fletcher, Civil Attorney Blake Hall, Treasurer J'lene Cherry, Assessor Carol Blanchard, Chief Deputy Sheriff Bart Quayle, Noxious Weed Supervisor Bryce Fowler, EMS Director Bert Mecham, Emergency Management Coordinator Keith Richey, 5C Director Nicky Chavez, and Juvenile Probation Supervisor Darin Burrell

Commissioner Dance led the pledge.
Commissioner Hill offered the prayer.

Commissioner Kamachi called the meeting to order and welcomed those in attendance.

Treasurer J'lene Cherry reported her office is doing business as usual. They are working on collecting 2019 taxes, the deadline is April 15th. There are 4 mobile homes left at the Sheriff's office. One is tax deeded so she is sure we will hear from them, but she is not sure about the other 3. The Sheriff's sale for those is on April 20th. Trying to transfer older tax records but images from the old disks aren't compatible with the CAI programming and they are having trouble getting them to transfer without freezing the computers.

Assessor Carol Blanchard reported they have property tax reduction program applications they are assisting with. It is an online program now. The deadline is April 18th so they will be busy for a couple weeks helping with those. Deeds did slow down but they are starting to pick back up. She and the appraisers will be going to the BOE training this week. There was a Bill passed to allow the Commissioners to decide the title administration fees for the DMV. She will be meeting with the Assessors from the other counties in our district to decide fees that are the same in order to keep constituents in their own counties, and then she will present that information to the Commissioners. One of her appraisers has resigned, so she is interviewing this week to find a replacement for his position. There has been some flooding in her office coming up through the floor. Commissioner Hill believes it might have happened because of the location of the new construction, and is looking into a solution.

Deputy Sheriff Bart Quayle reported we have 18 inmates in custody and 3 offsite. They are continuing to deal with highway closures and snowy roads, which is unusually late in the year. Other than that, it is business as usual.

Noxious Weed Supervisor Bryce Fowler reported they are working on getting inventory and surplus wrapped up. If anyone has something for surplus, please let him know by the beginning of May. They have an employee that has left and needs to be replaced. He will be in Salmon for meetings on Wednesday, along with more CWMA meetings soon.

EMS Director Bert Mecham introduced Nicole Coker who is the new EMS Administrative Assistant. They had 123 patients in February and March. They currently have 63 part time staff helping to keep things running. Hopefully this month they will get our ambulances and their chase vehicles should be coming in this month as well.

Emergency Management Coordinator Keith Richey reported we are officially out of the drought. As of Friday, the Weather Service reported 209 inches of snow in Island Park. In the 2 weeks since our last meeting we have gone from 119% of normal to 138%. We

are starting to get calls for sand bags in Island Park for some flooding. He doesn't know if there will be a lot of flooding, but there will be some with the soft melt.

5C Director Nicky Chavez reported things have been busy at 5C. They have had 10 to 12 kids in their treatment program. The detention numbers are averaging around 8 kids. They have had a few transports this last week, with a couple released and 2 new from Wyoming and South Dakota. They completed an audit for South Dakota last month and it went well. They are preparing for their annual detention inspection by the Department of Juvenile Corrections on May 3rd. A few staff have left so there are interviews scheduled this week to hire reserves and get them trained. 2 full time line staff have graduated POST and 4 or 5 more staff need to be POST certified. They have a board meeting next week with the commissioners.

Juvenile Probation Supervisor Darin Burrell reported they are working on some community service projects to help with the snow. The kids are out of school this week so they will be shoveling at the Senior Center in Ashton, and they have been doing some work with the City of Ashton.

Clerk Abbie Mace apologized for being late getting budget worksheet packets out, but she will try to get them out next week and they will be due back to her the 3rd week in May. We will have budget request meetings in June. Her office is gearing up for the election on May 16th for the Ambulance 2-year supplemental override, and in Island Park, District 1, the proposed Auditorium District will also be on the ballot. People who have second homes in Island Park feel disenfranchised and not allowed to vote in Fremont County. Our big trial is starting this week in Boise. We have a lot of staff there and hopefully it will be shorter than they anticipate. Thursday is supposed to be their end day for Legislation. Some Bills have been passed that will impact us, most of them have to do with property taxes, hopefully there won't be a lot of change but there is some property tax relief that will impact our offices. There was a Bill that did away with March school elections but not the Presidential Primary in March every 4 years. Computer Arts/Harris sent the proposed quotes for our county. It is a 30% increase for all programs, and they said they won't be abandoning any of their programs. It will be a cloud-based system, and Josh Warnke feels this will be an improvement. Hopefully we will see some progress moving forward soon.

Commissioner Dance reported he had the opportunity to take a tour of our municipal waste winter operations at the beginning of the month. They held their Sustainability EMS Funding Committee meeting in preparation for their EMS state meeting. ITD held their level 3B screening meeting for the Ashton to 87 project earlier this month, he was able to provide some useful input. The National Resource Conservation Service Level Working Group met to update and set projects for 2023. Cloud seeding will continue until April 15th unless avalanche danger levels are too high to allow them to do so. He did some cyber security training, and participated in the Narcan/CPR training with Bert Mecham. His name has been submitted to the Governor's office for consideration for the Idaho Roadless Rule Commission.

Commissioner Hill reported on the progress of the jail expansion construction. The annex building has 6 rooms painted and carpet ordered. There are still some small leaks but they can't be repaired while its still wet. Hopefully they can be repaired soon and everyone will be able to be back in their offices. He is grateful for the staff and their patience. He is pleased with the restoration company. Bert Mecham's office has a low spot that seems to be causing a lot of the problems, so he has asked Housley's for a bid to install another drain.

Commissioner Kamachi reported as a member of the 7th District Court Commission, we received the petition to establish the Island Park Auditorium District. We reviewed it and everything seemed to be in order, and Clerk Mace has explained the details of their issue on the May 16th ballot. He attended the Capital Crimes Defense Fund meeting.

Fremont and Madison counties submitted their requests. They have been approved, but there will be some changes because the death penalty has been removed in this particular case and it is no longer a capital crime. Eastern Idaho Solid Waste had a meeting last Wednesday. We paid our bills to Forsgren, and had an update with USDA about the transition. We were able to find some potential savings for equipment with Western States Equipment. We will have a bid opening next Tuesday for lining and piping so we can start using ARPA money from DEQ, and we are looking for a place to store it. We are going to continue on with the methane capture system. We are trying to get hold of Francisco with Southern Idaho Solid Waste District to help answer questions about a functioning regional solid waste district program.

Janet Craven - Riverview Cemetery Board RE: Cemetery Issues

Ms. Craven stated the Riverview Cemetery is in need of funds. There are only 30 plots left and they are going quickly, so it needs to be expanded. They also need landscaping, a sprinkler system and other needs, but it will only be a few years before the cemetery will be out of money.

Clerk Mace discussed financial options for the cemetery. Because Riverview Cemetery is their own taxing district that operates independently from the county, they can increase the fees on their plots. They are able to do a permanent override election with a 66 and 2/3 majority vote, or a 2-year supplemental levy election for a simple majority vote. They are too late to get on the May ballot for this year, but they could get on the November ballot, however it wouldn't take effect until next year. The Teton/Newdale Cemetery put together a committee for a veteran's memorial which helped bring in some funding for their cemetery through donations. This could be an option for Riverview as well. She isn't aware of grants available for funding for cemeteries.

Ms. Craven asked if she could ask for volunteer work from the work camp or our juvenile probation program.

Clerk Mace stated the work camp would charge for their help. She stated Ms. Craven could talk to Darin Burrell and James Hymas in our juvenile and adult probation programs, and stated she would need to be aware of the limitations for our youth program.

Parks and Rec Tamra Cikaitoga RE: Sack Cabin Trust Possible Agreement - action item

Ms. Cikaitoga discussed the county needing to be out of the agreement with the Forest Service for the Johnny Sack Cabin. The forest service is not allowed to accept donations, so we currently have a trust account set up for the cabin to make sure it receives the funds it needs for maintenance. She has talked with Tom Cluff and Bill Davis about how to handle the trust funding that goes towards the cabin, because if the funds are just released to the Forest Service, they will be lost. She feels we could create a cost share agreement with the Forest Service where we would pay them once a year, and those funds would go directly towards the cabin, much like our cost share agreement for the cleaning of the restrooms.

Clerk Mace is concerned we won't have a person in between to monitor the money.

Ms. Cikaitoga stated the Forest Service could have that responsibility.

Commissioner Hill asked how much money the cabin generates.

Ms. Cikaitoga stated its about \$6000 to \$8000 for the few months they are able to keep it open. They don't know when they will be able to open this year because of the late winter.

This would be something that would need to be renewed every year, but would still allow for them to apply for grant money. Ms. Cikaitoga will bring the finalized agreement next week.

GIS Greg Newkirk RE: Idaho Sand Dunes Subdivision - action item

Mr. Newkirk presented application #21-110 for the Idaho Sand Dunes Subdivision along with Findings of Facts, Conclusions of Law and Decision.

Commissioner Hill made a motion to approve application #21-110 for the Idaho Sand Dunes Subdivision short plat for Brian Larson along with Findings of Facts, Conclusions of Law and Decision. Commissioner Dance seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Emergency Management Keith Richey RE: Fire Code - action item

Mr. Richey stated the 21st of March he received a phone call from a lady that lived in the Park View apartments near the work camp. She voiced several concerns, one of them being snow in the way of windows so people couldn't get out. He did an inspection and found 25 more violations of the fire code, including smoke detectors that weren't working, or no smoke detectors at all in required spots. The property is managed by Syringa Property Management in Boise, who he has tried to contact but hasn't had a phone call returned yet. The area property manager did come the next day to remove snow and replace smoke detectors. The fire code allows him to issue requirements on specific violations to meet basic life safety, and he gave them until 5:00 pm that evening to fix those issues, however because it hasn't been addressed, he required a fire watch of off duty firefighters and police officers be posted. The cost for this was \$600 that will be billed to Syringa. Mr. Richey asked how to pay the fire watch knowing it will likely take a while to be reimbursed by Syringa.

Clerk Mace recommended paying them out of Mr. Richey's budget and then hope we will be reimbursed by Syringa. The firefighters will need to submit W-9's to the county so we can pay them.

Commissioner Dance recommended billing Syringa as well as the local property manager for the payment. If they can afford to replace the smoke alarms, they should have authority to make this payment and we may a higher chance of receiving the reimbursement from them.

Mr. Richey stated it is an 8-apartment building and most of them are elderly, one of the residents had just gotten surgery. He referred the occupants to Idaho Legal Aid for help, because they have also had flooding issues, and Idaho Legal Aid can help them with mold complaints for the flooding as well.

Assessor Carol Blanchard RE: Unknown Parcel - action item

Ms. Blanchard turned her time to Civil Attorney Blake Hall to discuss different options to handle the unknown parcel. It is currently not on the tax roll.

Mr. Hall stated the research indicated the Eastern Idaho Land Company that owned the parcel no longer exists. There is no color of law for us to be able to quiet title this piece to sell it. We could put it on the tax rolls and the taxes would be \$15 a year. If the taxes are delinquent for a number of years, we will eventually need to give notice to the owner, who no longer exists, which will add several hundred more dollars to the property. A cheaper, easier way for Mr. Patlovich to acquire the property would be for him to request the property be added to the tax roll and pay the taxes for 7 years and maintain the property. After 7 years, he will acquire the property through adverse possession and then he could quit claim the property to himself. The only risk of this would be that within the 7 years, someone else would claim the property is theirs. He could also quiet title it himself, because he has been using the ground for 16 years. This would be faster, but he would have to pursue that through the legal system, and would be much more expensive.

Mr. Patlovich stated there is also an unused right of way that belongs to the city, but the city won't release it until the county decides what to do about our parcel that is also his back yard.

Ms. Blanchard stated the other piece Mr. Patlovich is asking to purchase from the county could be declared an odd lot by the Commissioners today and handled as a separate issue.

Mr. Hall stated the next step would likely be to declare the parcel owned by the county to be an odd lot so it can be appraised and sold as an odd lot. Then the alley can be vacated by the city so Mr. Patlovich can pay the appropriate taxes.

Commissioner Dance made a motion to initiate odd lot proceedings on parcel number RPS0173086001B and instruct that it be appraised according to IC 31-808. Commissioner Hill seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Dirk Forbush RE: Financial Support Request for St. Anthony Airport - action item
Sam Wynn, the Airport Chairman, discussed the improvements to the St. Anthony airport and future improvements they are working on through grant money. The city budget for the airport is currently about \$39,758.00 a year. He stated the airport benefits the city, but it benefits the county as well, so they are hoping to petition the county for funding to help with the maintenance of the airport.

Dirk Forbush, Airport Manager, stated a lot of our traffic comes from people going to Island Park. He knows West Yellowstone is used, but more pilots utilize our runway.

Commissioner Dance asked if the county has been approached before by the city for assistance.

Clerk Mace stated most of our contribution has been in-kind, but rarely has been financial. We don't have the levying authority for the airport that the city does.

Commissioner Hill feels county residents get more benefit from the airport than the city does. Some of the past commissioners did contribute to the airport, though the donations were small. He asked if they had an outline of where they intend the funding to go.

Mr. Wynn stated he remembers a time when the county and city shared the work.

Clerk Mace stated in all the years since she has been Clerk, the only times the county has been involved in airport projects has been by request.

Civil Attorney Blake Hall stated the county doesn't have it in this year's budget, but it might be ok to look at something for next year's budget.

Commissioner Dance asked if there is income generated by airports.

Mr. Forbush stated the industrial park is all owned land and there is leased land as well. There are also property taxes on the hangers themselves. There are some airports that have a landing fee, though ours doesn't.

Commissioner Hill stated we don't have it in our budget this year, but he would like to see their numbers for consideration for next years budget. We do have several big expenses we have to consider next year so we can't guarantee anything.

Commissioner Kamachi agreed. We would like to see the numbers, but we can't commit to anything because we do have so many other big commitments we know are coming in the next year.

Commissioner Hill stated we might be able to do some in-kind work with chip sealing the approaches. He asked them to bring a list of other projects we might be able to be involved in to a future meeting.

They discussed the closing of the Rexburg airport and anticipating how it might affect the traffic at St. Anthony.

5C Director Nicky Chavez RE: Executive Session IC 74-206(1)(b) - action item

Commissioner Kamachi made a motion to go into executive session pursuant to IC 74-206(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 1:02 p.m. Commissioner Dance seconded the motion. A roll call vote was taken with Commissioner Kamachi voting "Aye" and Commissioner Dance voting "Aye". Commissioner Hill voting "Aye" Commissioner Kamachi declared the meeting open at 1:17 p.m.

Commissioner Dance made a motion to allow for donation of time to E2023-02. Commissioner Hill seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Social Services Debbie Biorn RE: Executive Session IC 74-206(1)(d) - action item

Commissioner Kamachi made a motion to go into executive session pursuant to IC 74-206(1)(d) To consider records that are exempt from disclosure as provided in [chapter 1, title 74](#), Idaho Code; at 1:20 p.m. Commissioner Dance seconded the motion. A roll call vote was taken with Commissioner Kamachi voting "Aye" and Commissioner Dance voting "Aye". Commissioner Hill voting "Aye" Commissioner Kamachi declared the meeting open at 1:35 p.m.

Commissioner Hill made a motion to approve claim number G23-3. Commissioner Dance seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Public Works Brandon Harris RE: Financing John Deere Grader - action item

Mr. Harris presented bids for the financing of the new John Deere grader. It was delivered last week. He has 3 quotes from DL Evans bank at 5.38% interest, Summit Bank at 6%, and John Deere Financing at 6.75%. They are all 5-year lease plans. He would like to follow through with the plan from DL Evans.

Mr. Harris asked if he can utilize the purchasing plan he presented in February in his equipment budget for this year.

Clerk Mace gave him a tentative yes, but the budget for the next year will be tighter because our big case was separated and we will have to finance both.

Mr. Harris will update the purchasing plan and bring it back in 2 weeks to review with the Commissioners.

Commissioner Hill made a motion to approve financing for the John Deere Grader through DL Evans Bank at 5.38% interest. Commissioner Kamachi seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Miscellaneous

Commissioner Dance made a motion to approve the claims for April 3, 2023 as presented. Commissioner Hill seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Dance made a motion to approve the minutes from April 20, 2023 as amended. Commissioner Hill seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioners discussed change orders for the Jail Expansion.

Commissioner Hill stated change order #16 deals with providing overhead power for the door in the sally port. He doesn't know why this wasn't included in the original bid.

Civil Attorney Blake Hall feels the architect should be responsible for the payment of this change order, because this is something that shouldn't have been missed.

Commissioners commented there have been several similar items that have been missed.

Clerk Mace stated the change order should be approved in order to let them do the work but we can still approach the architect to handle the bill because they should be responsible for it.

Commissioner Dance asked if we have had change orders in the past we have approved that were similar situations, does that jeopardize this decision.

Mr. Hall feels they should be handled the same, and taken back to the architect to reimburse those costs.

Commissioner Hill stated change order #17 was requested by the Sheriff's office to change the swing of the sally port door from the existing jail to the new jail.

Commissioner Dance made a motion on change order #016 to move forward, on the stipulation that it is the responsibility of the architect, in the amount of \$3,603.43, and to approve change order #017 as presented in the amount of \$13,888.48. Commissioner Hill seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Dance made a motion to adjourn the meeting at 2:23 pm. Commissioner Kamachi seconded the motion. A full voice vote was heard with all commissioners voting in favor.

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

L. Scott Kamachi, Chairman
Fremont County Commissioner

Attest: _____
Abbie Mace, Clerk