

FREMONT COUNTY COMMISSIONERS MEETING MINUTES
Tuesday, September 5 , 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 Lori Beard, Assessor Carol Blanchard, Sheriff Len Humphries, and Chief Deputy Bart Quayle

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

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

Assessor Carol Blanchard expressed concerns about the parking in the east parking lot. The appraisers park there, but every time they move their vehicles, construction materials are moved into their spots, so they are slowly being pushed out of the lot. Planning and Zoning employees are also struggling with parking in the lot. She reported last year, 26 people weren't able to qualify for circuit breaker last year due to changes in legislature. This year, the legislature has made some adjustments with the median value percentage and the qualification amount, so only 6 didn't qualify. Her office has training today to learn more about their new software and how to run reports. Legislators are already aware of how difficult House Bill 292 is and the issues it is creating, but she doesn't believe anything will be fixed this coming year. This coming year we are required to provide more information on assessment notices and they were worried it would be 2 pages long, but we have been able to get assessment notices to one page, it will just be very small print. Now that Labor Day is past, appraisers will be trying to get out more to do appraisals before the snow falls.

Treasurer Lori Beard reported her office is working on pretax drive. Legislators are not changing the law for tax due dates, so whether or not we have notices sent out on time, taxes will still be due December 20th. We hope the State Tax Commission will have information to us by the first Monday in November, but the window between when we receive that information and the deadline will be short. The Legislature is also not doing anything about penalties or interest if we don't have things working.

Sheriff Len Humphries reported summer has passed but the Sheriff's Office is staying busy. Traffic reports and ambulance calls are still high. They recently handled a couple of unattended deaths, but there was nothing suspicious about either of them. They aided in a recovery of a man that fell 300 feet on Sawtell Peak. The man did survive and is in the hospital recovering. 2 weeks ago, a man was bitten by a dog through a femoral artery, and luckily also survived because a deputy was around the corner and was able to administer aid quickly. The dog has been put down. We will be down another dispatcher soon. One graduated from POST from the Detention Academy, and one more will be going out to POST at the Patrol Academy. Fish and Game put down 2 grizzly bears in Squirrel, and one more was put down in Island Park for self-defense purposes.

Chief Deputy Sheriff Bart Quayle reported 12 inmates in house and 5 in Madison. 15,000 activity logs since August 1st. They received 262 911 calls, performed 699 traffic stops, made 33 arrests, issued 191 citations and investigated 15 accident reports. UTV

invasion was this last weekend and was very busy. There were a few accidents and life flight was called in for at least one of them.

Clerk Abbie Mace reported we will be having our budget hearings today at 10:10. Normally we don't see a lot of questions but she encourages everyone to be here just in case. Operating property values are due from the State today, but she hasn't seen anything yet, so she can't set the levies for the taxing districts until she receives those. There were at least 3 entities that went to the state level BOE. Rocky Mountain Power and the 2 hydro plants, but none of the people we had seen for BOE went to the state level (BTA) so we should be done. Cities, fire districts, cemetery districts and school board members should be turning in paperwork to be put on the ballot for November Elections. We should be getting our new voting machines within the next couple of weeks. If there are no contested races, we can cancel the election. There may be contested races at the city level in Island Park, and possibly the school board positions, but nothing is confirmed yet. She attended a PERSI meeting last week. They will be having a change in leadership soon. There was a change in legislation which will affect public security jobs and is having unanticipated consequence. If someone quits but is unable to find another job somewhere else, they can be rehired into full employment with their same wages within 30 days. They have to be retired as of July 1 of this year, have received 1 payment from PERSI, and be over the age of 50. She has concerns about people changing positions and how to handle it. There is talk that the FOP organization statewide is unhappy with this bill and are hoping it will be repealed. She added into the budget a proposed increase in fees for July of next year. Because of the new enhancement for law enforcement, they may see more of an increase than what she budgeted for. After sending out the new personnel policy and had everyone sign, she needs to delete another paragraph that will affect 5C only. She is going to wait to send out the updated policy in case there are any more errors, but it will need to be sent out and signed again.

Commissioner Dance reported he attended the High Country RC&D WUI for wildfire mitigation. He participated in the Harriman spray day 2 weeks ago. He attended the first RACE meeting last week in conjunction with the start of school. They were prepared with a list of kids that need some extra help, and have a plan to help these kids with their challenges. He was able to attend the Ashton ITD meeting last month, and the Henry's Fork Foundation Water Shed Council meeting. He attended the Ashton Senior Center board meeting, where they had concerns about management and building issues, which they will be working to solve. He met with the Idaho Work Force Development Board. This is a state board handled by Altura regarding work force development in Idaho.

Commissioner Hill reported the jail is progressing well. They have been putting the red brick up on the outside and hope to be done by the end of this month. They are scheduled to put the membrane roof on this month and have plans to be cutting into the courtroom at the end of this month and first part of October. He hopes by the end of the month most of the parking will be cleared up in the east lot as construction materials are used. He was able to attend all 3 ITD meetings and felt they were very informative. We had a sprinkler pipe burst at the golf course and flooded the club house. He hasn't heard if there have been anymore leaks in the Annex building from the recent rains. He had told the roofers they had 1 last chance to fix the problem, so hopefully everything has been repaired properly. The Snowmobile Committee will start meeting soon. The Fairboard met and feels the fair this year was very successful. They are trying to install permanent sprinklers on the grounds.

Commissioner Kamachi reported he attended the ITD meetings in Ashton and Mack's Inn. They were well attended and ITD supplied a lot of information and were able to answer questions and clarify their plans to the constituents. East Idaho Solid Waste District is working on contracts for all of the counties and districts to meet state statute. He is still trying to find someone to join the Upper Valley Board of Guardians. The position is posted on the county website. We have many people who need help, so if anyone knows someone who might be interested, please contact him.

Tax Deed Sale - action item

Commissioner Dance made a motion to approve the sale of parcel numbers RPA0002025003X and MHA0002025003X to Dallas Hill in the amount of \$17,250.00. Commissioner Kamachi seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Fremont County Budget Hearing - action item, Fremont County Ambulance Budget Hearing to follow - action item

**FREMONT COUNTY COMMISSIONERS PUBLIC HEARING
Fremont County Budget Hearing
Fremont County Courthouse/Commissioners Room
Tuesday, September 5, 2023
10:10 AM**

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, Fairboard Chairman Matt Thueson, EMS Director Bert Mecham, Coroner Brenda Dye, Chief Deputy Assessor Cari Angell, IT Director Josh Warnke, 5C Director Nicky Chavez, 5C Interim Director Vail Codling, Juvenile Probation Director Darin Burrell, Public Works Director Brandon Harris, Emergency Management Coordinator Keith Richey, Sheriff Len Humphries, and Chief Deputy Sheriff Bart Quayle.

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

Clerk Abbie Mace stated the proposed budget for FY2023-2024 for Fremont County will be in the amount of \$63,312,815.00. This includes \$800,000.00 appropriated for the jail expansion project.

Commissioner Dance made a motion to approve Resolution 2023-14 establishing the budget for FY2023-2024 for Fremont County, Idaho. Commissioner Kamachi seconded the motion. A full voice vote was heard with all commissioners voting in favor.

**FREMONT COUNTY COMMISSIONERS PUBLIC HEARING
Fremont County Ambulance District Budget Hearing
Fremont County Courthouse/Commissioners Room
Tuesday, September 5, 2023
10:20 AM**

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, EMS Director Bert Mecham, Coroner Brenda Dye, Sheriff Len Humphries, Chief Deputy Sheriff Bart Quayle, and Public Works Director Brandon Harris.

Commissioner Kamachi called the hearing to order and welcomed those in attendance

Clerk Abbie Mace stated the proposed FY2023-2024 budget for the Fremont County Ambulance District is \$2,033,776.00 which includes the \$400,000 per year temporary override for the next 2 years

Commissioner Hill made a motion to approve Resolution 2023-15 establishing the budget for FY2023-2024 for the Fremont County Ambulance District. Commissioner Dance seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Hill made a motion to close the hearings at 10:17 a.m. Commissioner Dance seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Hill RE: Parking for the Jail Expansion - action item

Commissioner Hill stated he had a meeting with the builders of the jail expansion and they would like to know what our plans are for the east side of the building. He discussed putting parking in for the judges and asked Public Works Director Brandon Harris to put together some options for the parking.

Mr. Harris discussed 3 different options for parking on the east side of the building. He and the Commissioners feel option #3 is the most workable option, with an entrance on the north side for the Judges to get into the lot, an area to put snow in the winter and about 20 spaces along the curb. There were discussions about closing the road to create a larger parking lot, which would help with parking for the Annex, the bank, and the businesses and apartments on 1st North that do struggle with not having enough space to park. We will need to talk to the City about accessing the right of way on West 2nd North.

Commissioner Hill will set up a meeting with the City Council to discuss the project.

Scott Beech RE: Road Maintenance 2100 E Continued Discussion - action item

Mr. Beech discussed 2100 E and the issues with sprinkler water flooding and degrading the road and the lack of cooperation from Mr. Mike Birch who owns the system. Mr. Birch really has no incentive to cooperate because he has been told that as long as he claims mechanical failure for the pivot, he doesn't really have to do anything.

Road and Bridge Supervisor Rowdy Rigby stated the only place he is able to turn around on this road is in Jeff Singleton's driveway, which isn't ideal, but it is a very narrow road and there is no longer another option because Mr. Birch has put up the fence and blocked off the area that used to be used as a turnaround.

Mr. Beech stated the fence wasn't installed until last fall when he started making complaints about the condition of the road. While he was trying to make repairs to the road himself, he had gravel trucks parked on the far end of the road on Mr. Birch's property. He was told to get his trucks out, and the fence was put in place shortly after.

Currently the fence only runs from the far end of the road to the Singleton's home, but Mr. Beech anticipates the rest of Mr. Birch's property will be fenced in the near future.

Commissioners asked if the fence encroaches on the county right of way.

Public Works Director Brandon Harris stated although county right of ways have a 50 foot easement, he doesn't know if the fence is within the right of way. They would need to go out and measure. GIS has marked the entire length of the road, but we don't maintain farther than Jeff Singleton's property, with the exception of our Weed Department who only sprays the weeds.

Commissioner Hill discussed the State Statute, which states you cannot water a county road, unless there is a mechanical failure. He is unsure how long Mr. Birch will be able to keep using this as an excuse, and doesn't understand why he hasn't been cited for it already.

Civil Attorney Blake Hall stated there are so many farmers throughout the county sprinkling roads, so it is difficult to prosecute one person without prosecuting everyone. There hasn't been uniform prosecution of this kind of situation. There was one prosecutor that tried to start citing people, but was told by commissioners to stand down because it was creating difficulties in the courts. Sheriff's departments were instructed to give warnings, but it still doesn't solve the problem. Our Prosecutor, Lindsey Blake, is uncomfortable prosecuting one person for a violation, as it would create a precedent and she would have to prosecute all of them. There is also a debate whether or not the pivot is in the county right of way.

Commissioner Kamachi asked Sheriff Humphries if giving warnings is affective and if we keep doing it.

Sheriff Humphries stated we don't, because we would be giving warnings to everyone, and it would be constant, as there are so many farmers in the area.

Commissioner Hill asked what options are available for Mr. Beech. Paved roads are also damaged by the sprinkling, but are still passable. This road is almost inaccessible if it is flooded.

Mr. Beech stated many years ago, commissioners decided to keep the road open and public because of the number of people that use the road, including BLM. He also presented record of a commissioner meeting from April 2012, in which the commissioners had a discussion with the landowners that use this road, and they agreed the road should be 18 feet wide and have a turn around at the end of the road. Mr. Birch's fence has narrowed the road to 16 feet and there is no longer a turn around. If Mr. Beech has to maintain the road himself, he will continue to do so for ease of access, but he feels the road needs to be marked and a turn around reestablished. He asked if there could be an agreement with the commissioners about how wide the road should be. He is willing to donate a portion of his property to create a turnaround if the county is willing to explore their right to establish an 18 foot road, which was previously agreed upon by the landowners and commission, and also provide a better road with some maintenance.

Brandon Harris stated the prescriptive is 25 feet from the center line. If the county gets involved, we will have to communicate with the land owners and have them move their fences if necessary.

Commissioner Kamachi stated we will find out more information about what we can and can't do, and then try to come up with a solution. He doesn't feel we would be able to stop the sprinkling on the road, but there could at least be some improvements made.

Clerk Abbie Mace RE: FY2023 Budget Opening Needs - action item

Ms. Mace discussed opening the FY2023 budget as follows: for the election consolidation fund, we received an additional \$5,898.36 (\$2898.36 from the State 15-00-324-00 & \$3000.00 from the proposed auditorium district in misc. revenue 15-00-324-01) that needs to be put into the budget in the Poll Worker line 15-00-711-00. In Special Bridge and Special Road, to help with budgeting purposes, we need to transfer \$317,503.00 from Special Road 33-00-397-00 to Special Bridge 33-00-397-00 to be used on the Yale Kilgore project. These are Road and Bridge funds that just need to be moved. At the end of the fiscal year, we look at what we have collected in LID payments and transfer those funds into Sewer Capital line. At Mack's Inn we had \$216.27 9265-00-397-00, Last Chance had \$15,458.21 9269-00-397-00 and Last Chance Line Extension had \$32,251.56 9270-00-397-00 for a total of \$47,926.14 that will be transferred into the Capital Future Projects 9267-00-899-06 for the Sewer Systems. We received a refund on the Salem Road project from the state of \$46,010.00 to be put into the Special Road Misc. Revenue 33-00-391-00 and into Road Construction line 33-00-736-00.

Commissioner Dance made a motion to open the FY2023 budget to move the LID payments, \$216.27 from Mack's Inn, \$15,458.21 from Last Chance, and \$32,251.56 Last Chance Line Extension for a total of \$47,926.14 to Sewer Capital Projects. From the Election Consolidation Fund, \$5,898.36 to be moved to the Poll Worker line. \$317,503.00 to be moved from Special Road into Special Bridge, and open up Special Road Construction for \$46,010.00 for a refund check we received. Commissioner Hill seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Dennis Marsh RE: Fix the Sr. Citizens Bus Step- action item

Mr. Marsh discussed the Senior Citizens Bus needing a repair for the bus step. He believes this will be the last project for the bus. This step is powered and swings out so the seniors can get on the bus easier. The total cost for all the necessary parts is \$328.24, however Carey Daniels feels we will only need the harness which is \$285.00, and we may be able to find the harness at Radio Shack.

Commissioner Dance asked if he would like approval for the \$328 just in case Radio Shack doesn't have the harness or other parts are needed.

Mr. Marsh feels that would be best and would allow for some leeway.

Commissioner Dance made a motion to approve the full harness kit, including the motor for the power kit and other parts, to power the senior citizen bus step for the total amount of \$328.24. Commissioner Hill seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Mr. Marsh discussed Carey Daniels retiring this month. He would like to know if Mr. Daniels can still install the step.

Clerk Mace stated at this point, Mr. Daniels hasn't announced his retirement, so we should go ahead and have him install it.

Parks & Rec Director Tamra Cikaitoga RE: Pickup Purchase - action item

Ms. Cikaitoga discussed the purchase of a new pickup for the Parks and Rec department. She provided bids from 8 different dealers, but there had been discussions about how every truck was essentially the same model with some things added and other things not added. The lowest bid is from Tadd Jenkins Chevrolet for a 2024 Silverado 1500 Crew Cab pickup in the amount of \$46,224.10, and she believes it will be adequate for their needs. She would like to take \$15,000 out of the Parks and Rec budget, and the rest will come out of Snowmobile budget to purchase the truck.

Commissioner Hill made a motion to approve the purchase of the 2024 Silverado 1500 Crew Cab from Tadd Jenkins Chevrolet in the amount of \$46,224.10 for Parks and Rec. Commissioner Dance seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Bill Fuchs RE: Fence Issues at Vernon Gravel Pit - action item

Mr. Fuchs stated the week of August 15 he was out of town and his fence was cut by Road and Bridge Foreman Blair Jones, with permission from Henry's Fork Foundation to drain the parking lot, which let his cattle out. He has had this same conversation before with Commissioner Jordon Stoddard to determine where the property line is while Jordon was Commissioner. He has been maintaining the fence since the Barney family installed it. He had a meeting with Matt and Brandon from the Henry's Fork Foundation and showed them where the property line is. He doesn't mind anyone needing to drain the property, but he would appreciate some kind of notice to know when this will be happening. He also expressed concerns about the weeds in the area that aren't being taken care of by the county or the Henry's Fork Foundation.

Road and Bridge Foreman Blair Jones discussed this with Mr. Fuchs a week ago and has apologized for cutting the fence. He was under the impression Henry's Fork Foundation owned the property where the fence was cut, so at the time he wasn't aware this information was incorrect. Our property line runs farther to the south of the fence along the creek line. The fence cuts through the middle of the county property and he was told by Henry's Fork Foundation that it was their fence and was given permission to cut it. The issue with draining is the water can't be drained into the river and has to be done elsewhere, but we don't know why the water isn't draining the way it used to. We are working with Henry's Fork Foundation and are more than willing to work with Mr. Fuchs to solve the issues in that area.

Parks and Rec Director Tamra Cikaitoga stated she received a call earlier this year from Matt at the Henry's Fork Foundation, upset that the county had mined and put up a fence blocking their access to their property. There has always been a question about the fence.

Mr. Fuchs is fine with things the way they are, but he would like a phone call in the future about any issue concerning the fence. He gave the Henry's Fork foundation a key to the gate last week so they can access their small portion of property by the river without having to cut the fence in the future.

Sheriff Len Humphries and Chief Deputy Sheriff Bart Quayle RE: Fleet Vehicles - action item

Mr. Humphries presented bids for 4 new fleet vehicles for next year. If we place the order today, they won't be here until spring of 2024. He would like to order 4 Dodge Durangos for the total amount of \$163,240.00. We have lost several vehicles due to accidents, including one last week on Hwy 20, and we still don't have the 2 pickups we ordered last November. He hopes they will be here soon, because our fleet is struggling with numbers.

Commissioner Dance made a motion for our Sheriff's Department to order 4 Dodge Durangos in the total amount of \$163,240.00 Commissioner Hill seconded the motion. A full voice vote was heard with all commissioners voting in favor.

GIS Greg Newkirk RE: West Chester Subdivision - 3rd Amended Plat - action item; Shotgun Village Estates Div. No. 5 - 1st Amended Plat - action item; Fentun-Zundel Subdivision - 1st Amended Plat - action item; Pleasant View Acres Div. No. 1 - action item; Deed to Randy Tanner (Land Swap) and Application for Boundary Line Adjustment - action item

Mr. Newkirk presented application #23-010 for West Chester Subdivision - 3rd Amended Plat along with Findings of Facts, Conclusions of Law and Decision.

Commissioner Dance made a motion to approve application #23-010 by Infinity Trust and Greg and Cindy Sivetts Trust for a minor plat amendment for a consolidation of lots 3 and 4 of West Chester Subdivision - 3rd Amended Plat, along with Findings of Facts, Conclusions of Law and Decision. Commissioner Hill seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Mr. Newkirk presented application #23-043 for Shotgun Village Estates Div. No. 5 - 1st Amended Plat along with Findings of Facts, Conclusions of Law and Decision.

Commissioner Hill made a motion to approve application #23-043 by Scott and Patricia Killian for a minor plat amendment lot consolidation of lots 18, 19 and part of 20 in block 20 of Shotgun Village Estates Div. No. 5 - 1st Amended Plat, 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.

Mr. Newkirk presented application #23-043 for Fentun-Zundel Subdivision - 1st Amended Plat along with Findings of Facts, Conclusions of Law and Decision.

Commissioner Dance made a motion to approve application #23-046 by Ronald and Gaydene Schofield for a minor plat amendment for the realignment of lots 1-3 into lots 19 and 20 of the Fentun-Zundel Subdivision - 1st Amended Plat, along with Findings of Facts, Conclusions of Law and Decision. Commissioner Hill seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Mr. Newkirk presented application #23-026 for Pleasant View Acres Div. No. 1 along with Findings of Facts, Conclusions of Law and Decision.

Commissioner Hill made a motion to approve application #23-026 for Pleasant View Acres Div. No. 1 short plat for Bradley Rowbury, along with Findings of Facts, Conclusions of Law and Decision. Commissioner Kamachi seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Mr. Newkirk presented a deed for our land swap with Randy Tanner, along with an application for a boundary line adjustment. He explained how we are swapping property with Mr. Tanner in order to keep our county road in place for access purposes.

Commissioner Hill made a motion to approve the Class 1 boundary line adjustment permit #23-048 between Fremont County and Ronald S. Tanner and Laura L. Tanner. Commissioner Dance seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Miscellaneous

Commissioner Hill made a motion to approve the claims for September 5, 2023 as presented. Commissioner Dance seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Hill made a motion to approve the minutes from August 21, 2023 as amended. Commissioner Kamachi seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Dance made a motion to approve the Junior College Applications for the College of Eastern Idaho Fall 2023-Spring 2024 academic year for Amanda Tunnell, and the Fall 2023 academic year for Grace Baum. Commissioner Kamachi seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Hill made a motion to approve the 2023-2024 Retail Alcoholic Beverage License for:

- #18 Broulim's Supermarket
- #19 Henry's Lake Station
- #20 Trouthunter
- #21 Squirrel Creek Elk Ranch
- #22 Phillips Lodge / Lodge Pole Grill
- #23 Spurs and Spokes Saloon (Ashton)
- #24 Spurs and Spokes Saloon (St. Anthony)
- #25 Jackson's #72
- #26 Anglers Lodge
- #27 Meadow Creek Lodge
- #28 Island Park Village Resort
- #29 Bar Thirty

Commissioner Kamachi seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Kamachi made a motion to adjourn the meeting at 3:31 p.m. Commissioner Dance 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