

FREMONT COUNTY COMMISSIONERS MEETING MINUTES
June 7, 2010

Present for the meeting were: Commissioners Paul Romrell, Skip Hurt, and Lee Miller.

Also attended by: Clerk Abbie Mace, Deputy Clerk Cathy Conger, Prosecuting Attorney Joette Lookabaugh, Chief Deputy Sheriff Kurt Hillman, Assessor Kathy Thompson and Treasurer Patricia McCoy

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

Commissioner Hurt offered an opening prayer.

Chief Deputy Kurt Hillman led the Pledge of Allegiance.

Elected Officials

Chief Deputy Kurt Hillman – He stated there are 12 or 13 inmates in custody. 2 Hispanics were transported to Madison County's Federal holding cell. We would like to give the fleet department a big thank you for their help in deferring costs and supporting us. Sheriff Humphries is in Coeur d'Alene. Our credit at Madison County Jail has been depleted. The jail inspection review board are still reviewing square footage and how to accommodate what is needed to come into compliance with our jail for accreditation.

Assessor Kathy Thompson – Assessment notices were mailed today. Last year there were 800 that her office talked to and of those only 30 went to commissioners to appeal and only 7 of those that appealed at the state level. GIS office is currently closed. It is unclear what direction this will go.

Emergency Management Services Coordinator Keith Richey – Mr. Richey reported on his inspections of rising water. The Teton North Fork has risen several inches. We have areas where water is within inches of cresting. If we don't get any more storms we should crest around 2am. Homeland security is aware of what is going on. 10pm Saturday night Commissioner Romrell declared a state of emergency due to rising water. That expires tonight unless this commission continues it. We will amend the agenda to discuss this. There was discussion of widening the bank and other options. Commissioner Miller was observing changes as well as Mr. Richey. Mr. Richey will talk with the Army Corp and determine what are realm of responsibility is with the river. There should have been a request last year to the Army Corp for certain repairs that needed to be done.

Clerk Abbie Mace – It has been a busy couple of weeks. Election and canvas are over – we appreciate all the help. We had 45% voter turn out – the highest in the state. Last week she went to a Commissioner & Clerks Conference in Twin Falls with Commissioner Hurt and Commissioner Miller. We talked about property values and how they will impact the county. She will be focusing on budget at this point. Commissioners need to meet with Department Heads for budget requests on June 21 starting at 10:20am and into the 22nd if needed. Our ICRMP Liability for FY2011 is \$182,000. There has been some questions and interest in taking the ICRMP online classes. Please provide her with feedback on how this is going in your departments.

Treasurer Patricia McCoy – She won't be available on the 21st or the 22nd for budget meetings because of taxes. On June 8th at 9:30 am she has been summoned to a deposition. She still has not seen anything on the BLM landfill fees. She has received a notice about adjustments on insurance. There have been some problems with credit cards. Her office received a bill and saw a notation of currency exchange. The credit cards of two employees appear to have been compromised. Her office has taken action of this. When reviewing the Woodland Bill's Island agreement it does not give anyone the authority to remove the money from Zion's Bank.

Prosecuting Attorney Joette Lookabaugh – We sent the letter out to the Shoot Out Barn, for being out of compliance with Planning & Building Ordinances. We have received a reply from their attorney. He apparently did not have all of the information. There have been several deaths in the county and the coroner has ordered a few autopsies. She has the agreement for independent contract for Frome Park Camphost. There was a drive by shooting in Teton City that Commissioner Hurt questioned Ms. Lookabaugh about however she had not heard anything about it.

Commissioner Skip Hurt – He attended a conference in Twin Falls last week. Learned some things – it was a good meeting. We will have to have gravel down around the new EMS Building in Island Park before the public hearing on June 22nd. He has been called by the folks who are putting together the sewer district committee and wanting to take over the sewer system – they have a meeting with the water committee and would like him to go with them. There was discussion on how it would work for them to take it over and what they would need to do. The plans for the Island Park Road and Bridge building have been finalized they are currently being reviewed by forest service.

Commissioner LeRoy Miller – He enjoyed the conference in Twin Falls. Over a million dollars for wolf kill nationwide is available – our intentions are to use the amount given to us for distribution to those who have suffered losses from wolves. There is a Fairboard meeting Tuesday night, and land sales this week. The solid waste disposal plant in Dubois is going forward. Next week we are meeting with Teton, WY. Flooding issues with the rivers in the county are serious. Commissioner Miller is keeping a close eye on this. Fremont and Madison Irrigation District stepped in a little yesterday to help with the flooding and we are very grateful for that.

Commissioner Paul Romrell – Commissioners calendar are full. Thursday night St. Anthony City council meeting, Thursday public land sale, June 14, 17 & 18th is the public health meeting, Tuesday night is a sewer meeting, Wednesday is a 5C meeting, High Country RC&D meeting on the 24th, and BOE the following week. Applications for part time custodian will be reviewed next Monday.

Planning & Building Director Kurt Hibbert RE: Department Report

Open houses for public input on the Development Code Revise will be next week 6pm – 9pm for three nights in St. Anthony, Ashton, and Island Park. Still making changes to the documents. A lot of the open house will be questions and answers. Some of the major changes are a complete zoning schema, two points of access, fire code. There was a question of interpretation by the fire departments however the code that we are using is a national guideline. Set backs on the slopes – we have used that table in the past and we have adopted it now. Wild land dependency has been

included as well. Illegal lots were not addressed specifically however it was made easier for people to become compliant. Commissioners would like a specific statement that will state what an illegal lot split is and it is prohibited. Mr. Hibbert will look into this. He also reported that Building Permits have increased last week.

Island Park Chamber of Commerce Connie Funkhouser RE: Non-motorized Trail Project

Ms. Funkhouser updated the commissioners on the non-motorized trail project. A committee has been established which includes Tamra Cikaitoga from the County Parks and Recreation. Just over \$700 has been donated. Name the trail campaign has begun. Posters and suggestion boxes for this have been set out. June 11th the work camp will smooth out trail. June 18th they are having a volunteer day at 9am and will be putting up fences and making trail heads. We would like to make a big deal out of this and encourage sponsors to continue their support. Channel 3 will be there as well as the newspapers. Leo Hennessy will be coming on June 29th and 30th. He will be spending his time walking the trail and will provide us with input on the best way to complete this project. Discussion was held on using the RAC funds to assist with this. The commissioners encouraged her to explore RAC funding for this project with Tamra Cikaitoga.

Weed Department Supervisor Bryce Fowler RE: RAC Agreements

Mr. Fowler presented the RAC Agreement for the commissioners to sign. Commissioner Hurt made a motion to sign the RAC Grants and acceptance agreement. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Brent Singleton RE: Gravel Source

The commissioners informed Mr. Singleton that we have received other offers that are considerable less per acre as a gravel source. Commissioners recommend that he move forward with selling his property if he has another buyer. 67 acres are what is available. \$670,000 would be the total cost. Commissioners feel that we need to pursue the other offers that are available in light of budgetary constrictions. The commissioners asked Public Works Director Marla Vik to apply for a gravel mining permit with the City of Teton and pursue what needs to happen from here.

Emergency Management Coordinator Keith Richey RE: Grants

Mr. Richey informed the commissioner of a grant that has closed out. Grant for \$14000 and \$326,000 from homeland security were signed. The Teton River is continuing to rise and the peak time has been increased to 10am tomorrow. Talking with the Army Corp of Engineers and any work on it is considered maintenance and is exempt from needing permission. Responsibility is still up in the air. The simplest way to handle maintenance is for the county to assume this responsibility which would include this whole strip. Road and Bridge Crew is out working on laying some gravel out along the edges. Commissioner Romrell would like to explore if the committee of nine could determine responsibility. There have been requests for sand bags and the commissioners would like to have them available at cost. There was a review of the most recent flood forecast. There is one spot where the water will likely go over the road. Commissioners would like to fill in the low spot immediately. There is rock at the landfill and at Chester Dam that can be utilized for this. Commissioner Romrell declared a state of emergency on Saturday June 5th due to the rising water. The Commissioners determined that this needs to continue beyond the 48 hours.

Commissioner Miller made a motion to approve Resolution 2010-13 extending the disaster declaration for ninety days. Commissioner Hurt seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Hurt made a motion to amend the agenda to include Mayor Tom Jewel regarding a liquor license. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Mayor Jewell requested from the commissioners that a liquor license be approved. The commissioners explained that as soon as the full application along with a copy of the state liquor license is received it will be reviewed.

Social Services – Debbie Adams Re: Indigent Claims

Commissioner Romrell made a motion to go into executive session pursuant to IC 67-2345 (d) to consider records that are exempt from disclosure as provided in chapter 3, title 9, Idaho code at 12:58 p.m. Commissioner Hurt seconded the motion. A roll call vote was taken with Commissioner Romrell voting "Aye", Commissioner Hurt voting "Aye", and Commissioner Miller voting "Aye". Commissioner Romrell declared the meeting at 1:18 p.m.

Commissioners signed one new lien and five release of lien.

Commissioner Miller made a motion to approve, case #G2010-98, case #G2010-99, case G2010-101, case #M2010-31, and deny case #G2010-96, case #M2010-30, case #M2010-32, case #M2010-36. Commissioner Hurt seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Public Works Director Marla Vik RE: Department Issues

Ms. Vik updated the commissioners on the Red Rock road issue. Ms. Vik recommends that we go with the 50 feet deeded right of way. County ordinance requires 60 feet. Commissioner Miller thinks there may be other issues – Ms. Vik explained that the forest service approached the land owner. Commissioner Hurt doesn't feel that it is to our benefit to give up 50 feet of right of way. He believes that we should go with the 60 feet. We will have to give them the gravel but not transport it. Ms. Lookabaugh would like this tabled for now to look at the legality and Ms. Vik will determine the amount per yard and the maintenance. She will report on this next week.

Asphalt Zipper company wrote a letter of apology and will pay the interest for the first year and not require a payment to be made until October 2010. Ms. Vik will have the bank move forward.

The contract for the Teton Highway Seal Coat project was reviewed and approved. Commissioner Romrell made a motion to sign the contract with Ruen-Yeager and Associates Inc for the Teton Highway Inspection. Commissioner Hurt seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Mr. Wickham gave the commissioners his fleet report. Commissioners feel that an executive session is needed to address some employee issues.

Mr. Wickham compared costs between two companies for supplies. The more efficient company is EVCO. Commissioner Miller made a motion to enter into an agreement with EVCO Hose for the amount of \$79.55. Commissioner Hurt seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Ms. Vik updated the commissioners on the environmental assessment required for expanding our spray field at the Macks Inn Sewer Lagoons. Commissioner Hurt made a motion to approve \$10,000 expenditure for the environmental assessment on the Mack's Inn sewer system. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Dan Lostutter discussed the Island Park Sewer committee with the commissioners. Commissioner Hurt stated that the county would be willing to give up the sewer system however it must be done correctly. Commissioner Romrell expressed concern that there are so many misconceptions about the sewer system ordinance. He is concerned that some are comparing the Island Park sewer system to the Idaho Falls sewer system or the Rexburg system. The agenda for the hearing needs to be finalized and to include what the purpose of an ordinance is. The rental ordinance is a separate issue from the sewer ordinance. They also discussed the requirements need to be a sewer operator; a level 3 collections operator takes 12 years and this is the level that Mack's Inn requires. Next week we need to finalize an agenda and a hearing officer. Commissioner Romrell would like to make a statement prior to the hearing.

Discussion was held on abandonment of roads.

The ten days is almost up on the plan of action for the landfill seepage issues. Cascade Earth Sciences has submitted a proposal to perform the statistical analysis that DEQ is requiring. Commissioner Miller made a motion to accept the proposal from Cascade Earth Sciences. Commissioner Hurt seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Derek Thompson RE: Salary Study

Mr. Thompson has done a review of salaries for Bannock, Bonneville, Madison, and Teton counties as well as job descriptions. He would develop pay ranges and assign them a pay scale. He spent approximately a couple of months completing this report for Madison County. The fee would be \$4000 to \$5000. Commissioner Romrell would like to review this in a work meeting. Achievement merit adjustments are addressed in his reviews. There was a discussion on which department to pay for the survey out of.

Treasurer Patricia McCoy, Public Works Director Marla Vik, and Chief Deputy Clerk Lori Lewis RE: Landfill

Ms. McCoy expressed some concern about collecting fees out of the landfill. Ms. Lewis updated the commissioners on outstanding debts owed for landfill fees. There is approximately \$1000 from 2006 and 2009 out there that we have not been able to collect nor can we find. Ms. McCoy would like to see that we place a credit card machine at the landfills. There was discussion about out of county family members dumping trash for county residents. They also discussed the need for night drop keys for evening deposits. Keys for the night drop will be the auditor's responsibility. Ms. McCoy and Ms. Lewis would like direction on how long to explore obtaining owed fees. Notification

needs to happen if there is any change in fees or how fees are collected. Ms. Vik will work on determine who the large contractors were and finishing up their fees.

Planning and Building Administrator Kurt Hibbert RE: Chester Dam Easement

The commissioners reviewed an easement offered to the county for road easement to the Chester Dam. This document has been signed but not recorded. He provided all of the additional easements as well. If the property ownership changes, the easements will remain in place. The road alignment won't change. This would make this a county road which would mean that the county is responsible for maintenance. When the dam project started they had a license and were required to provide an access road. Commissioner Miller made a motion to accept the quitclaim deed. Commissioner Hurt seconded the motion. A full voice vote was heard with all commissioners voting in favor. Kurt will follow up with the other property owners.

Parks and Rec Director Tamra Cikaitoga RE: Department Report

Ms. Cikaitoga is asking for direction in approaching BLM about the county managing the sand hill and how the fees would be assessed for this. This appears to be a grant application. They want a committee to determine the specifics of this project. A survey was done in 2007 and about 70% of the people surveyed were over \$100,000 in income. This proposal would be taken to their regional recreational committee and would either approve it or send it back for adjustments. It will cost \$32,000 to \$35,000 dollars. The committee would be approximately 5-6 people and invitations will be sent to those that Ms. Cikaitoga specifies. It would be beneficial to pattern this project after the snowmobile project. Commissioner Hurt made a motion to open the budget to make the campground host at Frome Park an employee instead of a contract. Commissioner Romrell seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Applied Martial Arts Patrick Asay RE: Martial Arts Training for Staff

Mr. Asay discussed with the commissioners the opportunity to have the staff trained in Reality Based Self Defense. He would like to put on a free seminar for employees of the county or the city. He has a studio that could hold up to 13 to 15 people there would need to be a larger venue or break it up into smaller groups. Mr. Asay will work with Clerk Mace to develop a date, a flyer and a sign up sheet.

Commissioner Hurt made a motion to amend the agenda to deal with an MOA to support clinical services at the Five County Juvenile Detention Facility and the State of Idaho Department of Juvenile Corrections. Commissioner Romrell seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Hurt made a motion to sign MOA to support clinical services at the Five County Juvenile Detention Facility and the State of Idaho Department of Juvenile Corrections. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Miscellaneous

Commissioner Romrell made a motion to approve a liquor license for Debra A. Frei and Rick Frei doing business as Stagestop. Commissioner Hurt seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Hurt made a motion to approve and sign the Junior College application for Melissa Miller. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Discussion was held on whether or not to have a comparison of county sewer systems at the sewer ordinance hearing.

There was some discussion on updating and coming into compliance for the coroner's position.

Road and Bridge found a sink hole and several other spots that they are correcting and stabilizing with the flooding issues on the Teton River. We have 15,000 sand bags on hand. Replacement of the sandbags is .24 each. Mr. Richey or Ms. Vik will go out to confirm the need on those that requests sand bags.

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

Paul Romrell, Chairman
Fremont County Commission

Attest: _____
Abbie Mace, Clerk