

FREMONT COUNTY COMMISSIONERS MEETING MINUTES
November 21, 2011

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

Also attended by: Clerk Abbie Mace, Deputy Clerk Jeanie Chavez, Prosecuting Attorney Joette Lookabaugh, Treasurer Pat McCoy, and Chief Deputy J'lene Cherry.

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

Robert Berry RE: Clean Up of Mobile Home

Mr. Berry stated he would like to clean up the burnt mobile home located at 497 N 1500 E. Commissioners advised him to contact the property owner.

Paralegal for Prosecuting Attorney Carol Jensen RE: Resolutions to amend SOP for texting while at work, and Personnel Policy

Ms. Jensen presented the amended personnel policy manual to Commissioners. There was a discussion regarding the changed policies.

Treasurer Pat McCoy discussed with Commissioners the new Personnel Policy regarding personal time off.

Commissioner Jordon Stoddard made a motion to approve resolution 2012-02 to adopt and amend County Vehicle Policy. Commissioner Lee Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Lee Miller made a motion to approve resolution 2012-03 adopting a policy governing the use of cell phones, instant messaging, and texting while at work. Commissioner Jordon Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Skip Hurt made a motion to approve the resolution 2012-04 of Fremont County, Idaho, adopting a new set of Personnel Policies outlining the rules, regulations, and benefits of employment with Fremont County. With said new policies superseding all previous Fremont County Personnel Policies and subsequent amendments. Commissioner Jordon Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Fleet Management Justin Wickham RE: Equipment Purchase and Nick Rowberry RE: Gravel Crushing

Justin Wickham requested to purchase a Compacter for the Island Park Landfill. This would consist of a 5 year lease at \$54,150.00 per year, and a buy back of \$122,500.00.

There was a discussion held regarding options of the Compacter.

Commissioner Miller made a motion to repair the compacter in Island Park for about \$30,000.00. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Mr. Wickham stated there is a loader that needs to be repaired at the St. Anthony Landfill. There was a discussion regarding prices to repair the loader, and prices of new or leased loaders.

Mr. Wickham also stated that Road and Bridge needs a new loader at this time. The commissioners discussed that the landfill could purchase the used loader from Road and Bridge for \$22,500 and use their loader that needs repairs as a trade in on the new loader for Road and Bridge valued at \$7500.

Commissioner Hurt made a motion to purchase a new John Deer Loader for \$151,264.00 minus \$30,000.00 for payment from Landfill, and sell the current Road and Bridge loader to the landfill for \$30,000.00. Landfill will pay Road and Bridge \$30,000.00. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Mr. Wickham is requesting to purchase a used engine for an Ashton Road and Bridge truck. There was a discussion regarding this issue.

Commissioner Miller made a motion to purchase a used engine for an Ashton Road and Bridge truck from Bruce Harper/ BCF Hauling in the amount of \$5,500.00 with approximately 30,000 to 40,000 miles on it. 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 contract with Price for \$25,000.00 for rock crushing in the Wilford Gravel Pit. Commissioner Hurt seconded it. A full voice vote was heard with all commissioners voting in favor.

Carl Nelson RE: Island Park Landfill

Mr. Nelson spoke with Commissioners about the landfill fees for his business. He stated his RV Park is only open about 120 days per year. There are 12 rental sites,

and a small gift shop. He stated he is charged the same price as a medium sized business that is open all year. Mr. Nelson stated he is currently being charged \$33.01 per RV Site, and a medium business fee of \$274.74. The total per year is \$505.81. He is requesting a lower fee per year.

Commissioner Hurt made a motion to charge Carl Nelson landfill fees of \$33.01 per RV site (12 sites) with an in home business fee of \$56.85 for total of \$452.97 per year. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

He will receive a new tax notice from the Treasurer's Office with the corrected fees.

Planning and Building Administrator Stephen Loosli RE: Department Report

Mr. Loosli reported to commissioners Fremont County along with neighboring counties and cities will receive the grant from HUD that was applied for. This will be the amount of \$1.5 million dollars, and will be used for housing affordability, communications, and transportation issues. Fremont County is one of the most prepared in states statue. This will also be used to help our neighboring counties. This will help with economical growth. In the next 3 months there will be a plan prepared.

Mr. Loosli explained a grant the county has received for Johnny Sacks Cabin. He presented an agreement contract between Fremont County and Fish and Game. This is a renewal of an existing agreement to maintain and manage sportsman's accesses to the river. They will fund our garbage pickup program. It also states that they are financing the Jim's Boat Dock Project.

Commissioner Hurt made a motion to sign the Cooperative Agreement with Fish and Game and Fremont County. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

There was a discussion held regarding proposed closure of Chester and Parker Post Offices. The commissioners will draft a letter asking that these post offices be kept open.

Planning and Building Administrator Stephen Loosli RE: P&Z Recommendations to Board

Things to Review: The Planning and Zoning Committee proposed a resolution to change and allow industrial use on properties. Also make changes to the Preferred Land Use Map of the Comprehensive Plan, and to establish an effective date.

Commissioner Hurt made a motion to adopt and amend the Fremont County Land Use Map, designating the listed parcels as industrial, and that we do so by Resolution 2012-05. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Stoddard made a motion to accept and adopt the recommendation of the Planning & Zoning Map, designating the listed parcels as Industrial General, and that we do so by Ordinance 2012-02. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Miller made a motion to accept and adopt the recommendation of the Planning & Zoning Commission to amend the Fremont County Development Code by deleting Appendix W in its entirety, and that we do so by Ordinance # 2012-02. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Mr. Loosli read the Conclusions of Laws to the commissioners supporting the changes to the Fremont County Development Code.

Commissioner Hurt made a motion to accept and adopt the reasoned decisions, Findings of Fact, and conclusions of law attached to our orders accepting and adopting the recommendations of the Planning & Zoning Commission to amend the Preferred Land Use Map and Zoning Map, and to amend the Fremont County Development Code by deleting Appendix W entirely. Commissioner Stoddard seconded the motion. A full voice was heard with all commissioners voting in favor.

Fernando Carmona RE: Request for road to be plowed

Mr. Carmona is requesting that the county plow the access road into his property again this year, since the snowmobile trail crosses his driveway. This is located off the Old Highway in Island Park. Mr. Carmona thanked them for all the plowing done in the past. He really appreciates all the work the county does. Commissioner Hurt stated we will continue to plow the same as we did last year.

Clerk Abbie Mace RE: Precinct Redistricting

Clerk Abbie Mace presented updated maps to Commissioners. There was a discussion regarding 28 people in the St. Anthony 1 precinct that will need to be put into a precinct. Due to all the redistricting done across the state, we are forced to

establish new precincts. Ms. Mace is requesting for 2 precincts in the Ashton area. She would like to move the voting poll to the Ashton Community Center for a reasonable rate.

Clerk Abbie Mace stated having 12 precincts instead of 14 within the county would save around \$5,000.00 annually. Precincts are a geographic location for people to vote, not a group, or community of interest. Ms. Mace stated there are just not enough poll workers willing to cover all 14 precincts.

Commissioner Hurt called the Republican Central Committee Chairman Steve Pinther to join the meeting. He disagreed with Ms. Mace's idea. Mr. Pinther expressed that the Republican Party would prefer 14 precincts. Steve Pinther stated the 28 residents that were disrupted by the redistricting should go to Ashton to vote. He thanked the commissioners for calling him.

Commissioner Stoddard made a motion to accept Clerk Abbie Maces proposal to amend the precinct map, and Commissioners Precinct, as resolution 2012-06. Commissioner Miller seconded the motion. A voice vote was taken with Commissioner Miller voting "Aye", Commissioner Stoddard voting "Aye", and Commissioner Hurt voting "Nay". The motion passes.

Commissioner Hurt stated he disagrees with the decision regarding the Precinct Map Changes. He does support and agrees with the changes of Commissioner Districts.

Social Services – Debbie Adams Re: Indigent Claims

Commissioner Skip Hurt 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 11:46 a.m. Commissioner Lee Miller seconded the motion. A roll call vote was taken with Commissioner Jordon Stoddard voting "Aye", Commissioner Lee Miller voting "Aye", and Commissioner Hurt voting "Aye". Motion passes by roll call vote. Commissioner Skip Hurt declared the meeting open at 1: 26 p.m.

Commissioner Miller made a motion to deny case #M2012-02, and case #M2012-04. Commissioner Stoddard seconded the motion. A full voice vote was heard with all Commissioners voting in favor.

Commissioners signed 1 new lien.

Commissioner Miller made a motion to amend the agenda to allow for two executive sessions under IC 67-2345 (b) and IC 67-2345(f). Commissioner Stoddard

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

Commissioner Hurt made a motion to go into Executive Session pursuant to IC 67-2345(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 1:09 p.m. Commissioner Stoddard seconded the motion. A roll call vote was taken with Commissioner Jordon Stoddard voting "Aye", Commissioner Lee Miller voting "Aye", and Commissioner Hurt voting "Aye". Motion passes by roll call vote. Commissioner Hurt declared the meeting open at 1:30 p.m.

Commissioner Hurt made a motion to go into Executive Session pursuant to IC 67-2345 (f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an Executive Session does not satisfy this requirement at 1:35 p.m. Commissioner Stoddard seconded the motion. A roll call vote was taken with Commissioner Jordon Stoddard voting "Aye", Commissioner Lee Miller voting "Aye", and Commissioner Hurt voting "Aye". Motion passes by roll call vote. Commissioner Hurt declared the meeting open 2:00 p.m.

Commissioner Miller made a motion to amend the agenda to discuss precinct redistricting again. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Miller and Commissioner Hurt contacted a few residents from the Chester area who were part of St. Anthony 1 Precinct. They now must vote in Parker or Ashton. Commissioners would like to make things as easy as possible for people who live in that area. Clerk Mace expressed how much more workable 13 precincts will be.

Commissioner Miller made a substitute motion to accept the precinct map presented by Republican Central Committee Chairman Steven Pinther, with the 28 residents displaced in from St. Anthony 1 Precinct voting in the Parker Precinct by Resolution 2012-06. Commissioner Hurt seconded the motion. A voice vote was taken with Commissioner Skip Hurt voting "Aye", Commissioner Lee Miller voting "Aye", and Commissioner Jordon Stoddard voting "Nay". The motion passes. No further changes were made to the Commissioner Districts.

Miscellaneous

Commissioner Stoddard made a motion to approve minutes for November 10, 2011. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Hurt made a motion to pay bills as submitted. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Skip Hurt, Chairman
Fremont County Commission

Attest: _____
Abbie Mace, Clerk