

FREMONT COUNTY COMMISSIONERS MEETING MINUTES
June 6, 2011

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

Also attended by: Clerk Abbie Mace, Deputy Clerk Cathy Jasinsky, Prosecuting Attorney Joette Lookabaugh, Sheriff Len Humphries, Assessor Kathy Thompson, and Treasurer Patricia McCoy

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

Clerk Abbie Mace offered an opening prayer.
Sheriff Len Humphries led the Pledge of Allegiance.

Elected Officials

Treasurer Patricia McCoy – Cancellations for April are \$4,937.24. The 2007 back taxes will have until Friday the 10th. Right now there are 23 parcels. We need to do a public auction by August on the two properties that were tax deeded from 2006. She talked with the county's investment banker Dale Green. He said that things look really well. It doesn't appear that too many people are not paying their taxes.

Assessor Kathy Thompson – They have received some complaints about taxes and values however they don't realize that this is based on last year's values and this is the second half of their taxes. New assessment notices went out today.

Sheriff Len Humphries – They have eight inmates in custody – two in Madison and six here. The new furniture for dispatch is installed and in place. Driver license will be closed on Thursday all morning. New equipment will be installed and training will be done. New licenses will not be given out here, you will be given a notification and the license will be mailed to you. The accounting side of it has not been updated. He has received a proposal from Teton Communications for a new radio console. They suggest increasing the height of the tower next to the courthouse by 20ft and getting a microwave link to Big Bend Ridge.

Prosecuting Attorney Joette Lookabaugh – Work is being done on the electrical in her office. The fans are now working. There have been lots of juvenile things, including a lot of truancy. She is working with the assessor regarding those that are transferring property. She is meeting tomorrow with Bill Forsberg. Blake Hall will be gone the week on the 23rd and will not be able to be at the public hearing. She will be the hearing officer instead. The Draper appeal is apparently not moving forward. The Huber transcription is not in yet. There have been lots of marijuana possession and paraphernalia. They have had a lot of tickets for speeding and driving without privileges, particularly the trucks.

Clerk Abbie Mace – She is working on the budget. She has received everybody's request. She visited with Blake Hall on the request from a previous employee for their records. Right now we don't have a policy for giving out information. He recommends putting in policy a guideline for what information is released. Carol Jensen will revise the policy to include this. Job opening closed on Friday for position in her office. It is a part time position.

Commissioner Lee Miller – He thanked the sheriff and prosecutor for their work. He met Wednesday with the Solid Waste District. On the first of June we went to judicial review and were approved to go forward. We met with Zion's Bank and there are some reservations as this is a new business. They are meeting again at 1pm on Wednesday. Bonneville County is the bigger player in this. Marla Vik has estimated a \$265,000 increase in tipping fees. Discussion was held on increasing landfill fees. Ms. Vik would like to put together a few more numbers before finalizing that. Fees will have to be increased. We do receive a large amount back from recycling and that should continue. The population has increased in Fremont County. He is going on Wednesday to Boise for a public health meeting. He received a call from a man whose potato cellar burned down and needs to know where he can take the remnants to. He was unsure as to what to tell him. He spoke with Fred Behring and the neighbors in Wilford. He explained to them that this is a civil matter.

Commissioner Jordon Stoddard – They are fixing electrical problems in the prosecutor's office and the carpets will be cleaned after. Carey Daniels is continuing to fix things. He has replaced a pushed lawn mower. They are looking into repairs on the roof and the drainage problems.

Commissioner Skip Hurt – There is still a mess to clean up at Mrs. Remington's with the flooding issues. There is still an issue on the North Fork of the Teton River. The bank is starting to erode. He has had a meeting with the biologist about the landfill issue. He has a meeting with the folks from Wilford about the road vacation. He asked for an update from the Mayor of Teton.

Teton City Mayor Sutherland – The mayor explained that the grant they had applied for they did not get. They will be making another award on this month. They have completed the grant on insulating the shop. They have nine new street lights in town. The hot topic in April was the beer ordinance. They sent a poll out in their water bills for this and it was decided to be passed. The Mormon Church came out with a statement that they should not hold businesses to church standards because they felt it was discriminatory. The City of Rexburg increase their waste water fees raised 28% 2 years ago and 4% last year. Gravel pits may end up being a legal issue. Ms. Lookabaugh expressed some concerns about the beer ordinance. It appears to be illegal.

Weeds Supervisor Bryce Fowler RE: Program Report/ Personnel Action Forms

There was a report of a boat that had barnacles on it. Last week they caught a boat that had rough stuff on it. The boat owners have been very helpful. Janet Balley from the forest service in Utah said and she had \$25,000 to put towards the Hold the Line Project. The majority of this money will come to Fremont County. Parker and Salem areas have been sprayed. This year Island Park area has more work for us than we have in the past. Met with railroad and set up a program. We have to do through their safety course prior to spraying. They will shut down the tracks while we spray. They went into Trouthunters and they are washing boats with a power sprayer. If needed we could put a fully fledged boat wash behind the old A Bar. He met with Scott from the city and they would like us to do the weed control as part of our contribution to the airport. They will keep track of the cost for this. Personnel action forms were signed. Discussion was held on having Curt Miller attend the training for decontamination of boats.

Ben Rinehart RE: Back Taxes

Mr. Rinehart explained that one of the people here had sent the bills for his taxes to his old address and now his bill is over \$1,000. He doesn't feel that this is right and doesn't understand why they

thought he was back in his old address. The property is in Island Park and he lives in Ammon. Barbara Hirschi explained that he filed a deed in July 2009 and the address on this is Idaho Falls. Mr. Rinehart stated that it took the title company a long time to get the deed completed and it had the wrong address on it by the time it was recorded. He has been paying on his taxes and his payments show his current address. He is behind on 2010 taxes plus late charges and interest. He currently owes a total of \$1,976.57. Assessor Kathy Thompson explained that when we get a deed that is the address that we use. If he doesn't forward his mail we would get it back and then call to get a current address. It is up to the property owner to send in his current address. It was explained that before he split his property the value was much less but after the split it changed the value and it increased.

Commissioner Hurt encouraged him to talk to the assessor about this year's values and then if needed come to Board of Equalization.

Commissioner Lee Miller made the motion to forgive the late fees of \$6.81 and interest of \$17.62 on Mr. Rinehart's property. Commissioner Jordon Stoddard seconded the motion. A full voice vote was heard with all voting in favor.

Laurie Augustin RE: Petition for Huckleberry Strawberry HOA

Attorney Karl Lewies introduced himself and those with him. He is the representative for Laurie Augustin. Mr. Lewies gave the commissioners a copy of the petition to maintain public roads through the subdivision. In January they had asked for relief from legal authority for these home owners to maintain county roads, compensation to maintain roads and indemnification in case someone became injured claiming negligence. Mr. Lewies explained each of these requests. He discussed Resolution 2011-10 and the reply that Ms. Lookabaugh sent. Mr. Lewies and Ms. Augustin don't feel that the letter addressed the three requests.

Commissioner Hurt asked Ms. Lookabaugh what the counties legal responsibilities are. She has not received a copy of letter so she can't respond.

Commissioner Miller questioned why we would want to give the authority to maintain road, and then pay them but keep all responsibility should an accident occur.

Mr. Lewies believes that the homeowners have the same concerns.

Ms. Augustine feels that it is not the homeowner's responsibility to maintain the roads. She reviewed the letter sent to her by Ms. Lookabaugh.

The public road ownership is on appeal in the Supreme Court at this time. Ms. Augustine is asking for Commissioner Hurt and Marla Vik to meet with them. This is not possible because of the appeal. It would be considered ex-parte communication.

The commissioners are going to wait until the appeal is decided to make a decision on this.

Commissioner Lee Miller made the motion to wait to make a decision on the Huckleberry Strawberry HOA until the appeal process is decided. Commissioner Jordon Stoddard seconded the motion. A full voice vote was held with all in favor.

Steve Kauer RE: Purchase County Property Adjacent to his Property

Mr. Kauer asked about the piece of property on Fisherman's Drive that is next to his property. He would like the property to remain as it is for the public's use. He would be willing to buy it. He will get in touch with Lynn Hossner about drawing up the deed.

Commissioners agreed to sell this property contingent on the price of the preparation of the deed.

Chief Deputy Clerk Lori Lewis RE: Landfill Cancellations

She has four landfill charges to be cancelled. The total is \$70 and they are from 2009. She has researched and tried to find them with no luck.

Commissioner Jordon Stoddard made the motion to cancel these landfill fees for James Christiansen, Nick Moore, and David Winegar. Commissioner Lee Miller seconded the motion. A full voice vote was heard with all voting in favor.

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 1:01 p.m. Commissioner Jordon 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". Commissioner Skip Hurt declared the meeting open at 1:17 p.m.

Commissioners signed one new lien. Commissioner Hurt signed a letter for an appeal continuance and an order for dismissal.

Commissioner Lee Miller made a motion to approve case #G2011-65, #G2011-79, #G2011-80 and case #G2011-81. Commissioner Jordon Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Public Works Director Marla Vik RE: Department Report

Discussion was held on the fleet manager's wage coming completely from road & bridge. The work on the Fish Creek rock removal is progressing well. Personnel action forms for new employees were signed.

The Regional Solid Waste Committee meeting will be on June 23rd at the Health District office in Idaho Falls.

Juvenile Probation Director Darin Burrell RE: Quarterly Report & Budget

Mr. Burrell presented his proposed budget to the commissioners. Discussion was held on the changes he made to his budget. It has been incredibly busy. Both his and Kevin's hours have increased considerably.

We received some money from the lottery winnings. This money has to be used in the juvenile justice system. This money will be kept as a line item as a reserve. Discussion was held about the MOA with the state for various grants.

Mr. Burrell presented his quarterly report. There was a situation Friday that resulted in several arrests. Discussion was held on the spice problem. The state will be allocating a certain amount for drug treatment to be used as needed. The counties will have to report back to the state and explain the results. He is speaking at the Commissioners & Clerks Conference meeting next week in Pocatello. Marijuana use is increasing. Discussion was held on the variety of programs that are being worked on.

4-H Coordinator Dana Miller RE: Transporting Youth

She will begin transporting kids for 4-H now. She has a day camp every day this week. There is a spare key for that door and the sheriff's office knows where that is. Bryce Fowler wants to borrow her car to have Stephanie go to Island Park. She needs to borrow Josh Warnke on Thursday.

Miscellaneous

Commissioner Skip Hurt made the motion to approve minutes for May 26, 2011. Commissioner Lee Miller seconded the motion. A full voice vote was heard with all voting in favor.

Prosecuting Attorney Lookabaugh stated that there is a problem with the cleaning schedule. The court upstairs cannot be cleaned on Tuesday afternoons or Wednesday's.

Commissioner Skip Hurt made the motion to approve the minutes from May 23, 2011. Commissioner Jordon Stoddard seconded the motion. A full voice vote was heard with all voting in favor.

Mr. Tom Seamons with the Gem Plan will be coming in Thursday at 9:30 am to meet with Clerk Mace on insurance.

Commissioner Jordon Stoddard made the motion to sign the contracts for the State Department of Corrections Work Camp help. Commissioner Lee Miller seconded the motion. A full voice vote was heard with all voting in favor.

Commissioner Lee Miller made the motion to approve the catering permits for Truthhunter & Woody's Hungry Bear Market. Commissioner Jordon Stoddard seconded the motion. A full voice vote was heard with all voting in favor.

Commissioner Jordon Stoddard made the motion to approve three junior college applications. Commissioner Lee Miller seconded the motion. A full voice vote was heard with all voting in favor.

Discussion was held on surplus items. The plotter, a copy/printer/fax & two vehicles will be going to surplus. Commissioner Lee Miller made the motion to declare two vehicles, a plotter and a copy/printer/fax as surplus. Commissioner Jordon Stoddard seconded the motion. A full voice vote was heard with all voting in favor.

Discussion was held on the Public Health budget. Commissioner Lee Miller made the motion to accept the Eastern Idaho budget for fiscal year 2011-2012 and give him permission to represent the county. Commissioner Jordon Stoddard seconded the motion. A full voice vote was heard with all voting in favor.

Treasurer Patricia McCoy has asked for J'lene Cherry to be allowed access to facebook to assist in obtaining addresses on delinquent properties. The commissioners are fine with this.

Commissioner Skip Hurt made the motion to approve the claims for June 6, 2011 as submitted. Commissioner Jordon Stoddard seconded the motion. A full voice vote was heard with all voting in favor.

Discussion was held on the TRPTA request for \$5000. Commissioner Miller will look farther into this.

The quarterly jail inspection was completed.

Discussion was held with Josh Warnke on the courthouse security system.

Discussion was held on grant letters that Park & Recreation Director Tamra Cikaitoga has received. One is for docks and one is for the Ashton reservoir. Commissioner Skip Hurt made the motion that we accept the grant awards for boat docks from Idaho State Department of Parks & Recreation. Commissioner Jordon Stoddard seconded the motion. A full voice vote was heard with all voting in favor.

There was a tree at the golf course that someone complained about and it was debated about taking it out. The tree is an interesting discussion piece and will remain.

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

Skip Hurt, Chairman
Fremont County Commission

Attest: _____
Abbie Mace, Clerk