

**COMMISSIONER MEETING OF JANUARY 11, 2016**

The Caribou County Commissioners met in regular session on January 12, 2015 at 9:00 a.m. Those in attendance, Commission Chairman Earl Somsen, Phil Christensen Commissioner and Mark Mathews Commissioner. Also in attendance were Caribou County Clerk Denise Horsley, Caribou County Prosecutor Doug Wood, Road and Bridge Supervisor Kim Spencer Leadman Brett Barfuss, Ellis Call, Caribou County Sheriff Michael Haderlie, Maintenance Supervisor Randy Stephens, Building Inspector Ralph Hopkins, Weed Supervisor Dwight Lloyd, Landfill Supervisor Jayson Lower, Stacie Watkins, Ben Ledford, David Anderson, Justin Steele, Jim Smith, Jackie Barthlome, Alan Skinner.

The meeting opened with the pledge of allegiance and prayer.

**Kim Spencer, Road and Bridge:**

- The Penstock Bridge was discussed. Kim told the Commissioners that after a conference call on Thursday it was discussed that they have some issues with completing the bridge because of the weather. Commissioner Mathews wanted to know what the outside temperature has to be to complete the work on the bridge to get it opened to traffic. Kim informed him that it has to be 40 degrees to put the grout in. Kim also informed the Commissioners that there is a waterless membrane that needs to be put in and the temperature for this has to be 50 degrees, and the only surface that can be put on this would be the asphalt. Kim's recommendation is not to open the bridge until all the work is done. If the County opens the bridge up for traffic the County would be liable for any damage done to the bridge and they will have to pay all repair costs. Kim informed the Commissioners because of the issues with the bid process this has put the project about 90 days behind scheduled. The Commissioners would like to see the bridge opened as soon as possible because the citizens of Grace want to know when it will be open. Commissioner Somsen said that he thinks that a letter should be put in the local paper to inform the citizens of Caribou County.
- Commissioner Christensen would like to have the blades parked in the shops if they can because they are one of the most expensive piece of equipment. Kim said that they will leave the sanders out and put the blades in the shops.
- Commissioner Mathews moved to convene to executive session at 9:20 a.m. pursuant to I.C. 74-206(b). Commissioner Christensen seconded the motion. The vote was Somsen-yes, Christensen-yes, and Mathews-yes. Commissioner Mathews moved to reconvene to regular session at 9:34 a.m. Commissioner Christensen seconded the motion. The vote was Somsen-yes, Christensen-yes, and Mathews-yes.
- Commissioner Somsen wanted to know if Kim has checked into the Grader Mounted Retriever. Kim told the Commissioners that he checked with other agencies to see if they had a used one for sale and there was not one available. The Commissioners would like to have Kim check into

seeing if he could find one to rent or a demo. Kim told the Commissioners that he would check into this and would get back to them.

- The Commissioners talked with Kim and two of the lead men and asked them to check with Road & Bridge Crew to see if they would like to stay on 10 hours shifts. They would get comp time if they worked Friday or Saturday. They will check with the crew and get back to the Commissioners. Kim does have some concerns with comp time and it being saved. The Commissioners, Kim and the two Lead men discussed this issue and agreed that the comp time has to be used by the first part of December of that year.
- Commissioner Mathews asked Kim about punching out Harwood Road. Kim told him that the crew would get that done.

#### **Randy Stephens, Courthouse Maintenance:**

- Randy wanted to talk to the Commissioners about the change order from Lott's. Randy feels that they back dated the order because they said it would go until the 22<sup>nd</sup> of September and the order was dated the 9<sup>th</sup> of September. The order from Harris Construction to Meyers and Anderson has nothing marked. The letter from Meyers and Anderson looks like they are backing the contractors, but when Randy spoke with Ben he said that they could not get Harris to submit the change order and that is why Meyers and Anderson were late in submitting the order to the Commissioners. Randy also stated that in the Meyers and Anderson order they said the County would not let them use big tools to remove the stairs. Randy told the Commissioners he was never asked about using bigger tools. The Commissioners did not like that \$800 plus was added to the change order. Randy kept track of the working days on the construction for December and there were 11 days that they should have been working but they did not. This did not include Holidays or weekends.
- The notice to proceed was dated August 20<sup>th</sup>, and they had a 150 days to complete the project which would make the deadline January 17<sup>th</sup>. Randy wanted to know what the Commissioners wanted to do if the project was not completed. If the project is not done by the 17<sup>th</sup> of January the Contractors are to be charged \$250 a day until completed. Randy has some concerns about the gravel in the flower bed, and he has talked to Lott's on several occasions about getting the gravel out of the flower beds, but he does not think this will get done. Randy wanted to let the Commissioners know that Bear River Electrical gave a bid to Harris Construction on the electrical work. Bear River asked

about the lights and they were told they would take care of it later. When Bear River got the lights in and submitted the bill to Harris Construction they were told that the lights were not included in the bid. Randy wanted to know about a lien being placed on the stairs project and who would be responsible for paying. Doug Wood the County Attorney said that Harris Constructions would be the responsible party.

- Randy wanted to know about the 3<sup>rd</sup> payment to Harris Construction, and he wanted to know about the payment to Meyers and Anderson. This will be discussed when Meyer's and Anderson comes in to meet with the Commissioners at 11:30.
- Commissioner Somsen wanted to know about the quality of the windows. Randy said that he has seen some issues with heat wave, and bubbles in the glass. He is not sure how the County wants to handle this issue. Commissioner Mathews wanted to know if Meyers and Anderson, and Harris Construction are aware of the issues with the windows. Randy told the Commissioners that Ben with Meyers and Anderson and John with Harris construction are aware of these issues.
- Randy informed the Commissioners that one of the men that was putting in the window was injured on Wednesday January 6<sup>th</sup>. They were replacing the window in the Motor Vehicle office and the window came in on him and knocked him off the ladder and shattered the window. He broke his hip and wrist. Eric Hobson came and investigated the accident. Harris Construction Insurance will be paying the claim.

**Ralph Hopkins, Building Inspector:**

- Ralph presented the Commissioners with the building permits for 2015. He issued 45 permits, 87 inspections performed. The Construction valuation is \$3,575,808.90 and the permit fees were \$34,356.
- Ralph will be attending the IDABO Education Institute in Boise on January 25<sup>th</sup>. This is for continuing education credit needed to maintain his certification.

**Jayson Lower, Landfill Supervisor:**

- Jayson wanted to let the Commissioners know that the 816 compactor is back. The cost was \$9,902. It was about \$10,000 less then what they were anticipating.
- The starter went out on the 966 and it was replaced at a cost of \$907.
- The 963 went down because of some bad fuel. They are now putting in an additive in the bulk tank to take care of the fuel problem.

- Jayson wanted to discuss the fuel tank being installed at the Landfill. Jayson said that he would recommend and that he feels a tank at landfill would be a big savings to the County. Commissioner Mathews told Jayson that he feels we have a system set up already at the Road and Bridge site and that it will benefit the whole County not just the Landfill. Jayson said that would require us to run back and forth. Commissioner Somsen asked Jayson what he thought about using a portable tank to fill up his equipment at the landfill. Jayson said that he has a 100 gallon tank right now. The Commissioners think that if he gets a 500 gallon portable tank that this would handle his issues. Jayson said that he will postpone checking into the landfill fuel site until the Commissioners make a decision on what Company they will be purchasing fuel from.
- Commissioner Somsen said that he noticed that Jayson purchased the propane from CHS Bingham Cooperative. Jayson informed him that CHS purchased from Mendenhall Oil and that is where he purchased the propane before. Commissioner Christensen asked if we got the discount on bill Jayson told him that the landfill did get the discount.
- Jayson wanted to bring to the Commissioners attention an issue the landfill is having with the decision that was made in the Commissioners meeting on July 22, 2013. The County put into effect a tonnage waiver that gave the owner of the property the right to assign their tonnage to another individual. There has been some Commercial Ventures that have misused this waiver. Jayson would like the Commissioners to go back to the original ordinance, and discontinue using the tonnage waiver. Jayson said that he had the numbers to backup that the County residences are using the landfill. Last year 57% of the local residence used 4.4 tons of their 5 ton allotment, and the Commercial Ventures used 32 Hundred tons. The Commissioners said that after further discussion the County Attorney will review the Ordinance and advise Jayson and the Commissioners how to handle this issue.

**Dwight Lloyd, Weed Supervisor:**

- Dwight wanted to let the Commissioners know that during the November EIWCA meeting that they were informed of a new grass family that is invading our area called Ventenata. It is not here yet but is very close. Dwight will put an article in the paper to inform the public.
- Dwight was asked to speak at the Idaho Citizens Grazing Assoc. about the Scotch Thistle problem, on the north end of the reservoir. He did a presentation on some of the ideas and chemicals recommended to control this problem. Dwight is hoping the BLM will be willing to do a work day to help with this problem.
- The new truck is ready to be delivered.
- In January Dwight and Aaron Hull from Franklin County attended a meeting in Dubois about Cloud Seeding. There was a demonstration on how to mix and handle the chemicals for the Cloud

Seeders. They also were informed of new Government reporting procedures and restriction. On January 6<sup>th</sup> Aaron and Dwight met in the Weed shop to mix the chemicals so they could be delivered to the site locations. Dwight wanted to let the Commissioners know that Kim and Brett with the Road & Bridge have been good to help him get the chemicals out to the cloud seeding sites if he is busy plowing snow in Wayan.

- Dwight told the Commissioners that he will be attending the INWC Conference in Boise on January 25-28. He will also be attending the Highlands meeting in Bear Lake on January 11<sup>th</sup>.
- Commissioner Somsen said that Tony Wolfley contacted him about the berm that is being left when the snow plow is turning around, and asked if Dwight would make sure that the berm was smoothed out so he can open the road up to his Cabin. Dwight told Commissioner Somsen that he would take care of this issue for him. Idaho Department of Transportation requested that Dwight have a State Communication system put in his blade so he can communicate with the State employee that is plowing out in the Wayan area. Commissioner Somsen thinks that this is a great idea because the employees work in remote areas.
- Dwight wanted to let the Commissioners know that he is having medical issues with his summer help. He wants to know if they will need to have medical releases before they will be able to come back to work. The Commissioners told him that they would need to get the releases.

#### **Michael Haderlie, Sheriff**

- Sheriff Haderlie presented the Commissioners with the housing reimbursements. The total reimbursements for 2015 was \$763,909. He also had the Caribou County Detention 2015 Status Report. Mike said that this is the report that the Idaho Sheriffs Assoc. required for the County Jail to keep track of. Mike also told the Commissioners that they have been housing 5 inmates from Oneida County and 2 I.D.O.C. inmates to help Bannock County out because of overcrowding.
- Mike informed the Commissioners that on January 1<sup>st</sup> two of the roof top units went down when it was 22 below. He said they we're lucky because it was the 4 man pods. He said that Brent with Reid's Plumbing and Heating came in on the 1<sup>st</sup> and then went to Salt Lake to get the parts on Sunday. Mile thinks the cost will be about \$1,400.

#### **City/ County Meeting:**

- Jackie Bartholme City of Grace Mayor said that the Cities received a Mutual Aid Agreement from the County. The City has some concerns with this agreement because the County used the same agreement that they have with Bonneville County. Jackie said that after talking to the City's Fire Chief they feel that this agreement was done between County and County and the Cities do not

have the budget to enter into this agreement. The agreement states that the City of Grace's Fire department agrees to provide fire and or other major emergency support. She told the Commissioners that the City of Grace does not have an EMS department. The ambulance was dispatched out and there was only one EMT that responded. The Fire Chief called dispatch and informed them of the situation, and said that he could drive. Dispatch told them to roll. He got in trouble from the EMS department because he would not be covered by the County's Insurance. Jackie thinks that the agreement should be more personalized for each city. The City of Soda Springs Mayor Jim Smith said that they have some of the same issues, and he feels this is a legal document and the City would like to have their Attorney involved. The Commissioners apologized to the Cities because they have not seen this agreement. They will get with Eric Hobson the EMS Director and discuss the agreement with him and Doug the County's Attorney. Jim Smith said that they are struggling with the County Fire Department. Jim told the Commissioners that the City has responded to two County fires in three months that the County did not respond to. He feels that this issue needs to be addressed and taken care of. Jackie thinks that the old agreement that the City of Grace had with the County would work. Doug said that there was an issue with the County paying the City Fireman. The City of Grace feels that if the County does not respond and the city does where they pay their fireman they should pay the city's fireman. The City of Grace does not pay their fireman. City of Soda pays a very small amount to their fireman. The Cities and the County all agree that we should all work together.

- Jim wanted to discuss the issues with the Commissioners about the Planning and Zoning in the impact area. Jim wants to make sure that the County, the City and both Planning and Zoning Departments are working together with their Attorney to make sure that all legal issues are being handled correctly. Commissioner Somsen wanted to know if there were any issues that need to be handled. Jim told him no but within the impact area there are two jurisdictions, and that some issues may arise. Jim just wants to make sure that the City and the County alleviate any problems. Commissioner Somsen asked Jackie if the City of Grace has any issues with the P&Z. Jackie informed him that the P&Z has changed because they are not a uniform building code in Grace because they do not have an inspector. Within the city limits Wayne Bredehoff will check the setbacks and make sure they are correct and then the city will issue the permit. In the impact area all the permits will go to Ralph Hopkins the County Building Inspector for approval. The only issue the city of Grace has is they have a junk ordinance, but the County does not and this affects the impact area. The County Commissioners wanted to let the City of Soda know that they received a letter from Mr. Berg concerning what the City is doing with his permit. The City of Soda has been working on changing the zoning of the property from a C-2 commercial to A-1 agricultural. The City was in the process of changing the zoning when Mr. Berg withdrew his application. The County Attorney said that Mr. Berg is relying on the Burns Holding vs Teton County case which states that with in the city impact area the County cannot delegate to the City the power to make zoning

decisions beyond the city limits. Unless the County has passed an ordinance saying that we adopt these then they become the Counties.

**Stacie Watkins, Senior Center:**

- Stacie thanked the Commissioners for the donations they received last week.
- Stacie presented the Commissioners with the Quarterly Report. She also presented the Commissioners with a yearly comparison report. She said that they have some repairs that need to be done to the garage door at a cost of about \$3,000. She informed the Commissioners that things are going good.

**Ben Ledford/Meyer's & Anderson:**

- Ben presented the Commissioners with a copy of the change order that was given to them from Lott's and Harris Construction. One of the issues that Lott's had was that they were told they could not use bigger equipment. Randy said that they were never told that they could not use the bigger equipment. That if they did use the bigger equipment they would just have to use caution as to not damage the sidewalk or flower beds, and grass. In the opinion of Meyers & Anderson with regards to the change order the work done was necessary for completion of the project. The additional work was not foreseeable, and the cost seem reasonable for the scope of the work. Based on these consideration, we recommend that the County approve the requested change order. Commissioner Mathews felt that if they were notified before the work was done they could have made the decision to use different equipment instead of receiving a bill that is double what the original bid price was. The Commissioners realize that the work had to be done and was done, but the County did not get to make any decisions. Commissioner Somsen said that this is not the way thing are to be done. The County should have been notified before the work was done not after. The Commissioners do not feel that the County should pay all the cost of the change order, and that maybe the General Contractor or the Architect Firm pay some. The Commissioners wanted to know what the \$854 was. Ben informed them that the charge was for Over Head and Profit of 10% and the bond. Doug wanted to let Jerry with Meyers & Anderson know that there is a process that needs to be followed and the Commissioners feel that it was not followed. Commissioner Christensen does not want to penalize Lott's because of the change order not being presented timely to the County. The County will approve paying \$6,500 to Lott's for the change order of \$7,000 they submitted to Harris Construction.

**David Anderson:**

- David Anderson wanted to talk to the Commissioners about the 3 ½ miles of the Crow Creek Road that runs from the Stewart Ranch to his property. The majority of the 3 ½ miles is on Forest Service Land. He has talked to Dennis Duren with the Forest service to see if there was anything that they would be able to do with getting the road maintained. Commissioner Somsen said at this time the County does not have any funds for the road improvements, but does agree that it is something that needs to be done. The Commissioners will have Kim the Road and Bridge Supervisor get with Dennis and see what can be done.

**Justin Steele, Probation:**

- Justin presented the Commissioners with the cost proposal for the new Courthouse Security System, because the cost was over the \$15,000 that the Commissioners agreed to pay. The new cost will be \$18,610.70. Commissioner Mathews made the motion to accept the new bid from ALPHACORP for the Courthouse Security System. Commissioner Christensen seconded the motion. The vote was Christensen-yes, and Mathews-yes.

**Indigent:**

- Signed release of Liens Case # 2016-04.
- Signed Lien 2016-07.
- Commissioner Mathews made the motion to deny the following application 2016-07, insufficient information that indicates medical necessity for procedure. Per medical review. Commissioner Christensen seconded the motion. The vote was Christensen-yes, and Mathews-yes.

**Other:**

- Resolution 2016-01 was presented to the Commissioners. Commissioner Christensen moved to retain Commissioner Somsen as the Commissioner Chairman for the 2016 year. Commissioner Mathews seconded the motion. The vote was Somsen-yes, Christensen-yes and Mathews-yes.
- Commissioner Mathews moved to pay the claims in the amount of \$461,761.09 and payroll claims in the amount of \$670,757.62, and to approve the minutes of December 14, 2015 as amended. Commissioner Christensen seconded the motion. The vote was Christensen-yes, Mathews-yes.
- Commissioner Mathews made the motion to approve the Holiday Schedule for 2016. Commissioner Christensen seconded the motion. The vote was Christensen-yes, and Mathews-yes.

- Commissioner Mathews made the motion to amend the Commissioner Meeting minutes for August 28, 1995 that read employees may donate sick leave to other employees when extended illnesses occur. To add per approval by the Commissioners on a case by case bases. Commissioner Christensen seconded the motion. The vote was Christensen-yes, and Mathews-yes.
- Commissioner Mathews moved to convene to executive session at 1:16 p.m. pursuant to I.C. 74-206(d). Commissioner Christensen seconded the motion. The vote was Somsen-yes, Christensen-yes, and Mathews-yes. Commissioner Mathews moved to reconvene to regular session at 1:20 p.m. Commissioner Christensen seconded the motion. The vote was Somsen-yes, Christensen-yes, and Mathews-yes. The decisions was to change the employee's vacation to 120 hours per year and sick to 6 hours a month not 8 hours.
- Commissioner Mathews made the motion to establish the election precincts per I.C. 34-301. Commissioner Christensen seconded the motion. The vote was Christensen-yes, and Mathews-yes
- The meeting adjourned at 1:25 p.m. The Caribou County Board of Commissioners will meet January 25, 2016, at 9:00 a.m. for regular meeting.

Signed: Earl Somsen, Commissioner Chairman

Attested: Denise Horsley

Earl Somsen

Denise Horsley

Approved Payment of Bills

	11-Jan-16	Payroll
Current Expense	\$ 30,331.77	
Indigent	\$ 1,735.22	
Road & Bridge	\$ 181,183.07	
Special Highway		
Justice	\$ 60,916.96	
Consolidated Election	\$ 345.75	
Weed Control	\$ 625.59	
Solid Waste	\$ 12,217.28	
Reappraisal	\$ 1,313.04	
Health	\$ 15,381.08	
Hospital M&O		
Ambulance	\$ 8,900.75	
Parks & Recreation	\$ 181.34	
Tort		
County Fair		
County Court Facility	\$ 217.00	
District Court	\$ 9,348.46	
Court Services		
Juvenile Justice	\$ 840.37	
Veteran's Memorial		
Mineral Leasing	\$ 122,780.00	
PILT	\$ 150.00	
City of Soda Springs		
City of Bancroft		
City of Grace		
Bancroft Cemetery		
Central Cemetery		
Fairview Cemetery		
Freedom Cemetery		
Grace Cemetery		
Lago Cemetery		
Lava Cemetery		
Lund Cemetery		
Thatcher Cemetery		
Turner Cemetery		
School District #148		
School District #149		
School District #150		
School District #21		
Grace Free Library		
Waterways	\$ 188.98	
Tax Deed Excess Funds		
Farmers Land & Irrigation LID		
Bailey Creek Fire District		
Freedom Fire District		
Auditor's Trust		
Adult Probation Fee	\$ 55.00	
Diversion Education Trust		
Juvenile Housing Trust		
Water District		
Court Trust	\$ 2,240.28	
Centennial Trust		
College Trust		
Treasurer's Trust	\$ 9,375.21	
ID Trust		
Concealed Weapon's Trust		
Motor Vehicle Trust	\$ 167.50	
911 Trust	\$ 2,664.92	
Public Safety Trust	\$ 201.52	
Weed Control Trust		
Drug Court Trust	\$ 400.00	
Youth Court Trust		
Vessel Account		
<b>Grand Total</b>	<b>\$ 461,761.09</b>	<b>\$ 670,757.62</b>