

COMMISSIONER MEETING OF November 13, 2018

The Caribou County Commissioners met in regular session on November 13, 2018 at 9:00 a.m. Those in attendance were Phil Christensen, Commission Chair, Mark Mathews, and Bryce Somsen, Commissioners. Also in attendance were Caribou County Clerk Denise Horsley, Deputy Clerk Jessica Zander, Public Safety Director Eric Hobson, Landfill Supervisor Jayson Lower, Caribou County Sheriff Kelly Wells, Indigent Director Donna Ledbetter, Caribou County Assessor Aaron Cook, Lisa Duskin-Goede, Kathy Ray, Bruce Olenick, George Kimball, Christina Thomas, Joel Murray, Terri Stephens, Preston Rudder, Chris Daniels, Judge Mitchell Brown, Nolan Koller, JoAnna Ashley, Alan Skinner, Todd and Kim Hunzeker, Darley Von Vandergriff, Herman Konoske, Jay Lott, Rikki Wood, Lisa Jenkins, Ward and Shannon Whitney.

The meeting opened with the pledge of allegiance and prayer.

Eric Hobson, Public Safety:

- Eric conducted the annual drivers training to some members of the courthouse staff. The main topic was how to drive on winter roads.

Public Hearing/Ordinance 2019-01:

- Commissioner Mathews motioned to enter into a public hearing to discuss the proposed Ordinance 2019-01. Commissioner Somsen seconded the motion. Motion carried.
- JoAnna Ashley explained that she is currently serving as the interim planning and zoning secretary until the county gets someone hired. She has come across several issues with the current codes.
- She further explained that there are several things that are confusing to read and could cause debate. This is one of the main reasons that a moratorium has been suggested. She also explained that a general building permit will still be issued during the proposed moratorium if no variances or conditional uses apply.
- She explained that there is a new subdivision south of Grace that is near a feed lot. Prior to the subdivision being approved several factors should have been considered.
- Todd Hunzeker asked how a new code will be started. Will we follow what other counties are doing.
- JoAnna is hoping that she will not need the full 182 days as the moratorium states, but this is what she is allowed per Idaho code.
- Commissioner Somsen stated that the full 182 days may not be needed so the ordinance could be re-worded to say up to 182 days.
- JoAnna explained that the primary goal is to get in compliance with state code. She is concerned that if we don't get things updated it could impact groundwater and/or livelihoods.

- Todd Hunzeker said that some additional help should be considered so that it doesn't take the full 182 days. Angie Mendenhall stated that nobody is going to be willing to donate their time. Darley Von VanderGriff also suggested that someone be hired to help speed up this process.
- Commissioner Mathews motioned to adopt Ordinance 2019-01 with the amended wording stating that the Soda Springs impact area is excluded and the moratorium period will be a maximum of 182 days. Commissioner Somsen seconded the motion. Motion carried.

Jayson Lower, Landfill:

- One of the pickups had a collision with a deer. The collision caused some damage to the bumper.
- Jayson has been in contact with an individual with Mountain Peak Roofing. They are the company that has been contracted to fix the roof at the Caribou County Senior Citizens Center. They brought their own dump truck to have onsite so the county will not need to provide one.
- Jayson asked if it has been determined or not if Road and Bridge will be able to crush material at the landfill. Commissioner Mathews said that Jayson will need to have the material hauled over to Kim. The Commissioners will follow up with Kim.

Donna Ledbetter, Indigent:

- On Case Number 2019-02, Donna has been determined that the applicant is not medically indigent. Commissioner Somsen motioned to deny 2019-02 as the applicant is not medically indigent. Commissioner Mathews seconded the motion. Motion carried.
- On Case Number 2019-03, Donna has also determined that this applicant is not medically indigent. Commissioner Mathews motioned to deny 2019-03 as the applicant is not medically indigent. Commissioner Somsen seconded the motion. Motion carried.
- On Case Number 2019-04, the applicant failed to appear for the interview. Donna explained that the applicant has not called to reschedule either. Commissioner Somsen motioned to deny Case 2019-04 as the applicant failed to comply with the interview process. Commissioner Mathews seconded the motion. Motion carried.
- Donna has also received a new case. She asked the Commissioners to sign the standard liens for Case Number 2019-05. The interview is set for the following week.
- Donna is requesting that the Commissioners also deny Case Number 2019-01 as she has determined that the applicant is not medically indigent. Commissioner Somsen motioned to deny Case 2019-01 as the applicant is not medically indigent. Commissioner Mathews seconded the motion. Motion carried.

Kelly Wells, Sheriff:

- Sheriff Wells presented the text to 911 grant again. The responsible party handling the paperwork claims that they never received their copy so he asked Commissioner Christensen to sign it again so he could forward it on.

- Commissioner Mathews motioned to convene to executive session at 10:33 A.M. pursuant to I.C. 74-206(f). Commissioner Somsen seconded the motion. Motion carried. Commissioner Mathews motioned to reconvene to regular session at 10:41 A.M. Commissioner Somsen seconded the motion. Motion carried.

Kathy Ray, Economic Development:

- Lisa Duskin – Goede is the Director for the Bear River Heritage Area. Brian Carver is over economic development at Bragg.
- They are working diligently to get us recognized as a national heritage area. They tried this back in 2006 and it didn't go through, so they are trying again.
- They work on a very slim budget. Kathy Ray served as a past president for their organization. Southeastern Idaho is largely impacted by tourism. It is the third largest economic driver in our area. The impact has risen 14.3% last year, they predict it will be higher this year.
- They want the heritage impacts to be noted such as the agricultural and mining in our county.
- The recognition will not impact private property in any way.
- Commissioner Somsen asked how this benefits Caribou County. Brian explained that it brings in federal dollars. It could be up to \$100,000 a year.
- The Bear River area covers Oneida, Franklin, Caribou and Bear Lake counties.
- They asked the Commissioners to sign a letter of support.

Canvass Votes General Election:

- All three Commissioners canvassed the votes from the November 6, 2018 general election and agreed with the results.

Bruce Olenick, DEQ:

- Bruce said next time he comes for a Commissioner meeting, he will bring Amanda Hardy to introduce her. She will be handling things on the landfill end for the DEQ. She was previously employed by Monsanto. She is their new Solid Waste/Hazardous Waste Inspector.
- Bruce is impressed with the movement to get the Solid Waste District going.
- Commissioner Mathews thanked Bruce for his involvement getting the Solid Waste District formed. He has appreciated him attending the meetings.

CMH George Kimball/Christina Thomas:

- Sheriff Wells explained that they have reviewed the proposed medical contract for the jail. He said they do not have the funds in the budget to handle the increase. The budgeted amount is \$140,000.

- Commander Bredehoff asked if some of the additional services could be omitted from the contract so the cost could be reduced.
- Christina Thomas explained that a conversation should take place and she believes there is definitely an opportunity to renegotiate some terms on the contract.
- Sheriff Wells said he would like to keep the services local, but he may have to bid it out if the hospital is unable to keep the contract at \$140,000.
- Christina said she will consult with Brenda and get a meeting setup.
- Commissioner Somsen motioned to convene to executive session at 11:44 A.M. pursuant to I.C. 74-206(b). Commissioner Mathews seconded the motion. Motion carried. Commissioner Somsen motioned to reconvene to regular session at 12:20 P.M. Commissioner Mathews seconded the motion. Motion carried.

Jessica Zander FMLA & Policy Manual:

- Jessica attended a seminar on the Family Medical Leave Act. She found out that we are not following the recommended guidelines.
- We need to require the employee to submit in writing when they will be taking family medical leave. This request should be in writing 30 days prior to when they are needing to be gone if at all possible, it is realized that 30 days notice doesn't always apply. The employee should then receive in writing an acknowledgement of the request stating when the Commissioners will provide them with an approval or a denial. The approval or denial should also be given to the employee in writing stating the dates that their leave will be protected under the family medical leave act. Also, if the request is denied, a legitimate reason must be stated for the employee.
- We have only been requiring the medical certification from the doctor at this point. The instructor of the seminar said documentation is the key to making this process work effectively for both the employee and the county. When everything is in writing, there is no confusion.
- The instructor also stated that our employee manual should clearly state how much sick leave is allowed annually aside from any protected leave. This will give the employees a better understanding of what is expected. He stated that it is hard to enforce something that hasn't been clearly stated to the employees.

Joel Murray:

- Joel is still having issues with a piece of ground that he owns that has a steep grade. He has been going back and forth with the state on traveling in a different direction. The state has already approved a small section of his proposal.
- He will gentle the grade of the road if his approval goes through. It will also make it easier for him to move his cows.

- He presented an E-mail from his attorney. His attorney suggested that he speak with the County Commissioners. He would like a letter of support from them to present to the state. They will have Denise compose a letter for him and forward it to his attorney.

Terri Stephens:

- They have come across a great idea for the upcoming centennial celebration. Laurie and Robin Thomas presented them with a book that they put together when Grace had their centennial.
- Terri thought this would be a better idea than coins. She has contacted some local individuals that might have some old pictures. She thought it would be neat to have different sections for Grace, Bancroft, Soda Springs, Henry and Wayan.
- Laurie and Robin asked for \$500 to start the project. This would help cover their time and travel expenses gathering information to get the project going. Terri said there is not enough time to get the book completed by the actual centennial, but once they get them put together, they could be sold throughout the entire year.
- Terri is hoping to acquire some pictures of the Henry Stampede.
- Terri isn't sure how much the books will actually sell for and how many will sell, but she predicts at least 1,000. The book that Laurie and Robin Thomas provided her to show to the Commissioners sold for \$20 each.
- Terri asked the Commissioners if she can try to get a committee formed to help with this project. The Commissioners said to go ahead.
- Commissioner Mathews motioned the approval of \$500 out of PILT to start the book for the Centennial celebration. Commissioner Somsen seconded the motion. Motion carried.

Chris Daniels:

- Chris is the Director of the Hope and Recovery Center in Pocatello. They opened 7-1-16.
- They are not a treatment facility. They are also non-profit
- They are a partnership with the community at large. They partner with IDOC and the Bannock County Sheriff's Office.
- Peer support is their main highlighted service. They have support groups that meet at their facility.
- Peers may provide a ride to another peer for appointments or court appearances.
- They currently have over 1,000 peers. They do not come to the facility all at one time. Some may just stop by to use a computer to touch up a resume.
- Doug Wood asked if diversion type people that don't qualify for drug court could come to them for support. Chris said they absolutely could seek support from them. About 1/3 of their peers have been a part of the judicial system.
- They are opening a facility in Soda Springs on Center Street. Their open house will be on December 4. Commissioner Somsen asked how they are going to advertise their new facility. Chris

said they have a Facebook page, they will place an ad in the local paper and they are putting together a brochure.

- Their funding comes from Bannock County, Health and Welfare, Recovery Idaho handles their grants, local donations, and Medicaid. Veterans programs also provide some funding.

Judge Brown/Denise Horsley:

- Denise asked Judge Brown to come speak about his understanding of the Public Defender contract.
- He has reviewed the statutory limits on employing a Public Defender.
- His understanding is the county basically has four options. First option is establishing a Public Defender Office. This would entitle them to benefits as a full-time employee. 2nd option is to join up with surrounding counties and share the cost. 3rd option is a fulfillment contract with existing Public Defenders Office within your judicial district. 4th option is to contract with a defending attorney that is not an employee, but an individual that the Commissioners have contracted with.
- The contract shall not include a fixed fee. It is prohibited to have a flat fee contract.
- One of the highlighted guidelines is to ensure that the defendants have the opportunity to have a defense attorney present.
- In 2006, it was established that a rate for a contract be \$75 per hour. They are currently lobbying that this rate is not adequate. Judge Brown said this was the rate in the 1990's.
- Commissioner Christensen asked if the Public Defender can be an elected position. Judge Brown said that it cannot be an elected position.

Aaron Cook, Assessor:

- Aaron asked the Commissioners if they would cancel \$141.65 of taxes on parcel #00551200030.
- A deed was recorded that caused the computer to change the homeowner's primary residence address to a different primary residence address so the homeowner's exemption was removed. They didn't realize that this had happened until after the tax notice had gone out.
- Commissioner Somsen motioned to cancel \$141.65 property tax on parcel #00551200030. Commissioner Mathews seconded the motion. Motion carried.

Other:


- Commissioner Mathews moved to pay the claims for FY2018 in the amount of \$44,809.23, and claims and remittances for FY2019 in the amount \$389,033.93, and payroll claims in the amount of \$471,778.25, and to approve the minutes of October 23, 2018, as amended. Commissioner Somsen seconded the motion. Motion carried.
- Certificate of Residency/Affidavit were presented to the Commissioners for Approval. The following students are taking course through Idaho Jr. Colleges. Post-Secondary: Sierra Stoor.

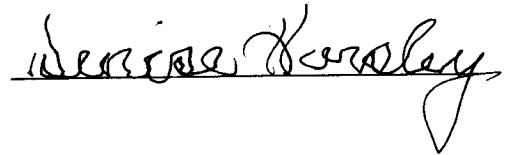
Commissioner Somsen made the motion to approve the Certificate of Residency/Affidavit.
Commissioner Mathews seconded the motion. Motion carried.

- The meeting adjourned at 03:30 p.m. The Caribou County Board of Commissioners will meet November 26, 2018, at 9:00 a.m. for regular meeting.

Signed: Phil Christensen, Commissioner Chairman

Attested: Denise Horsley





Approved Payment of Bills

	13-Nov-18	Claims	Payroll
Current Expense		\$ 21,399.68	
Indigent		\$ 1,425.00	
Road & Bridge		\$ 461.93	
Special Highway			
Justice		\$ 9,831.43	
Consolidated Election		\$ 123.34	
Weed Control		\$ 399.62	
Solid Waste		\$ 1,377.93	
Reappraisal			
Health			
Hospital M&O			
Ambulance		\$ 1,470.83	
Parks & Recreation			
Tort		\$ 899.00	
County Fair			
County Court Facility			
District Court		\$ 300.00	
Court Services			
Juvenile Justice		\$ 509.37	
Veteran's Memorial			
Mineral Leasing			
PILT			
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			
TV Translator			
Bailey Creek Fire District			
Freedom Fire District			
Auditor's Trust			
Adult Probation Fee			
Diversion Education Trust			
Juvenile Housing Trust			
Court Trust		\$ 3,713.21	
Centennial Trust			
College Trust			
Treasurer's Trust			
ID Trust			
Concealed Weapon's Trust			
Motor Vehicle Trust			
911 Trust		\$ 2,897.89	
Odyssey Court Trust			
Public Safety Trust		\$ -	
Farmers Land & Irrigation LID			
Weed Control Trust			
Drug Court Trust			
Youth Court Trust			
Vessel Account			
Grand Total		\$ 44,809.23	

FY 2018

Approved Payment of Bills

	13-Nov-18	Claims	Payroll
Current Expense		\$ 30,485.18	
Indigent		\$ 4,034.22	
Road & Bridge		\$ 79,382.20	
Special Highway			
Justice		\$ 49,754.52	
Consolidated Election			
Weed Control		\$ 4,347.00	
Solid Waste		\$ 334.51	
Reappraisal			
Health		\$ 1,092.19	
Hospital M&O			
Ambulance		\$ 157,677.39	
Parks & Recreation		\$ 90.37	
Tort		\$ 1,000.00	
County Fair			
County Court Facility			
District Court		\$ 750.64	
Court Services			
Juvenile Justice		\$ 627.45	
Veteran's Memorial			
Mineral Leasing			
PILT			
City of Soda Springs		\$ 2,070.66	
City of Bancroft			
City of Grace		\$ 3,053.86	
Bancroft Cemetery		\$ 2.36	
Central Cemetery			
Fairview Cemetery		\$ 31.13	
Freedom Cemetery		\$ 1.82	
Grace Cemetery		\$ 116.17	
Lago Cemetery			
Lava Cemetery			
Lund Cemetery			
Thatcher Cemetery		\$ 4.32	
Turner Cemetery		\$ 295.72	
School District #148		\$ 4,265.71	
School District #149		\$ 90.52	
School District #150		\$ 468.38	
School District #21			
Grace Free Library		\$ 617.67	
Waterways			
TV Translator		\$ 268.64	
Bailey Creek Fire District		\$ 3.28	
Caribou County Solid Waste		\$ 1,369.38	
Freedom Fire District			
Auditor's Trust			
Adult Probation Fee			
Diversion Education Trust			
Juvenile Housing Trust			
Court Trust			
Centennial Trust			
College Trust			
Treasurer's Trust			
Idaho State Treasurer Trust		\$ 30.00	
Concealed Weapon's Trust			
Motor Vehicle Trust			
911 Trust		\$ 1,723.39	
Odyssey Court Trust			
Public Safety Trust		\$ 236.02	
Farmers Land & Irrigation LID			
Weed Control Trust			
Drug Court Trust			
Youth Court Trust			
Vessel Account			
Grand Total		\$ 344,224.70	\$ 471,778.25

FY 2019

CARIBOU COUNTY COMMISSIONER'S AGENDA

Date: 11/13/2018 Tuesday

Time	Name of Person/Party	Concerning
9:00 AM	Bills & Minutes	
9:15 AM	Eric Hobson	ICRMP Meeting
9:30 AM	Public Hearing / Ordinance 2019-01	Moratorium of Planning & Zoning Permits 182 days
9:45 AM		ACTION ITEM
10:00 AM	Jayson Lower	Landfill
10:15 AM	Donna Ledbetter	Indigent - ACTION ITEM
10:30 AM	Kelly Wells	Sheriff
10:45 AM	Kathy Ray	Economic Development - Bear River Heritage Area
11:00 AM	Canvass Vote	General Election held 11/6/18 - ACTION ITEM
11:15 AM	Bruce Olenick	DEQ - quarterly update
11:30 AM	CMH George Kimball / Christina Thomas	Executive Session - ACTION ITEM
11:45 AM		
NOON	LUNCH	
1:00 PM	"	"
1:15 PM	Jessica Zander	FMLA & Policy Manual - ACTION ITEM
1:30 PM	Joel Murray	support for access through State Lands
1:45 PM	Melanie Pitcher & Terri Stephens	Centennial Celebration
2:00 PM	Chris Daniels - Hope & Recovery Resource Center - introduce self & programs available	
2:15 PM	Denise Horsley / Judge Brown	public defender - ACTION ITEM
2:30 PM	Bayer / Jason Maughan	update - Environmental
2:45 PM	Aaron Cook	Tax Cancellation - ACTION ITEM
3:00 PM		
3:15 PM		
3:30 PM		
3:45 PM		
4:00 PM		
4:15 PM		
4:30 PM		
4:45 PM		
5:00 PM		

OTHER BUSINESS: Executive Session I.C. (74-206)

B.O.E.

Certificate of Residency approval

Anyone needing special assistance to attend the above noticed meeting should contact the Clerk's Office at (208)547-4324.