

JEROME COUNTY COMMISSIONERS

Monday, July 10, 2017

PRESENT: Charles Howell, Chairman
Catherine Roemer, Vice Chairman
Roger Morley, Commissioner
Jane White, Deputy Clerk

Meeting convened at 9 A.M.

COMMISSIONER COMMITTEE REPORTS

Commissioner Morley reported from a Tri-county Weed District meeting of the invasion of Russian thistles and efforts to educate the public to report noxious weeds. He also said the Employee Picnic held the previous week was well executed.

Commissioner Roemer added that the Picnic was well attended and that the Employee Committee and the human resources director had done an excellent job in organizing it.

EMERGENCY MANAGEMENT REPORTS

The Commissioners determined that they would like monthly reports from the new emergency management coordinator. She was scheduled to introduce herself on July 17.

JAIL INSPECTION

Commissioner Howell volunteered to complete the Commissioners' quarterly jail inspection.

BUSINESS AND/OR ADMINISTRATIVE MATTERS

The Board signed a Retail Alcoholic Beverage License for Sylvia Garcia dba La Morena Enterprises, Jerome.

The Commissioners signed five Time Clock Correction forms for Kansas Guthrie.

The Board signed leave requests for Art Brown, Kansas Guthrie (2), and Deserae Jones (2).

CLAIMS

Commissioner Howell signed claims for the June 28, 2017, to July 12, 2017, claim cycle as follows.

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BUDGET TOTALS

06/28/2017 TO 07/12/2017

#	DEPARTMENT	PAYROLL	ACCT PAY	GRAND TOTAL
1	CLERK	\$ 42,630.49	\$ 477.65	\$ 43,108.14
2	ASSESSOR	\$ 12,174.00	\$ 157.84	\$ 12,331.84
3	TREASURER	\$ 10,127.00	\$ 259.45	\$ 10,386.45
5	COMMISSIONERS	\$ 10,325.75	\$ 647.19	\$ 10,972.94
6	CORONER	\$ 777.00	\$ 130.00	\$ 907.00
11	EMERGENCY MANEMENT		\$ 240.83	\$ 240.83
13	EXTENSION AGENT	\$ 5,574.75	\$ 300.93	\$ 5,875.68
14	DATA PROCESSING	\$ 2,603.00	\$ 9,071.49	\$ 11,674.49
15	ELECTIONS	\$ 1,271.00		\$ 1,271.00
18	GENERAL	\$ 51,175.95	\$ 11,423.85	\$ 62,599.80
21	PLANNING & ZONING	\$ 19,340.00	\$ 633.14	\$ 19,973.14
30	VETERANS	\$ 1,056.25	\$ 66.00	\$ 1,122.25
	Sub Total (General Fund)	\$ 157,055.19	\$ 23,408.37	\$ 180,463.56
4	SHERIFF	\$ 77,701.76	\$ 1,008.12	\$ 78,709.88
5	SHERIFF-DETENTION	\$ 75,469.09	\$ 11,927.73	\$ 87,396.82
6	ADULT PROBATION	\$ 12,947.00	\$ 389.83	\$ 13,336.83
7	PROSECUTOR	\$ 31,869.42	\$ 495.46	\$ 32,364.88
8	PUBLIC DEFENDER		\$ 201.60	\$ 201.60
9	JUVENILE PROBATION	\$ 15,702.78	\$ 18,567.38	\$ 34,270.16
18	GENERAL JUSTICE	\$ 72,275.14	\$ 80,219.06	\$ 152,494.20
	Sub Total (Justice Fund)	\$ 285,965.19	\$ 112,809.18	\$ 398,774.37
3	AIRPORT	\$ 5,644.17	\$ 20,912.74	\$ 26,556.91
6	DISTRICT COURT	\$ 21,863.48	4704.75	\$ 26,568.23
7	FAIR	\$ 10,952.22		\$ 10,952.22
9	CAPITAL FAIR			\$ -
29	AMBULANCE			\$ -
11	HEALTH DISTRICT			\$ -
15	ELECTION CONSOLIDATION	\$ 1,512.11	\$ 2,817.41	\$ 4,329.52
16	INDIGENT	\$ 6,311.14	\$ 112,445.67	\$ 118,756.81
20	REVALUATION	\$ 28,297.02	\$ 764.11	\$ 29,061.13
23	SOLID WASTE			\$ -
24	TORT			\$ -
27	WEED			\$ -
38	WATERWAYS			
40	CORRECTIONAL FACILITY			\$ -
41	BOND REDEMPTION			
	GRAND TOTAL	\$ 517,600.52	\$ 277,862.23	\$ 795,462.75

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RICK HABERMAN—HOMEOWNERS EXEMPTION

Assessor Rick Haberman and Treasurer Tevian Ekren-Kober were present.

Haberman explained that his office had entered an incorrect year for a homeowner's exemption to apply and requested a cancellation of taxes.

❖ A Motion was made by Commissioner Morley to recommend cancelling taxes for Antonio and Vitalia Avila, based on \$59,790 of assessed value, which represents the value of the homeowner exemption if it had been applied. It was seconded and carried with unanimous ayes.

BRENT CULBERTSON—MAINTENANCE REPORT

Maintenance Supervisor Brent Culbertson and Clerk/Auditor/Recorder Michelle Emerson were present.

Maintenance: Culbertson informed the Commissioners of remodeling progress at the Courthouse and the Airport. He had also made repairs at the jail, and he presented bids for asphalt at all three County buildings.

Emerson advised there were funds remaining in the current budget to complete the above-mentioned projects. She suggested obtaining two separate heating and cooling bids for both one room and two at the Annex.

❖ A Motion was made by Commissioner Howell to approve the asphalt repair and sealcoating at the Annex, Courthouse, and Ambulance Building. It was seconded and carried with unanimous ayes.

The Commissioners discussed allowing two-way traffic in the Courthouse parking lot and restriping for straight parking.

Comp and Vacation Time: The Board conversed with Culbertson about his excessive accumulation of vacation and comp time. He said he would be taking a few personal days but that he did not object to being paid for his extra hours worked.

KANSAS GUTHRIE—HUMAN RESOURCES REPORT

Human Resources Director Kansas Guthrie was present.

Guthrie reported she and the Employee Manual Committee were still updating the Manual to present a draft to the Commissioners. She said the new emergency management coordinator had attended training in preparation of the August 21 solar eclipse to be visible in Idaho.

Guthrie said she had met with Extension Educator Gretchen Manker about offering a 12-month Wellness Program to employees.

➤ The Board asked Guthrie to consult the payroll clerk about possible insurance benefits from enrollment in the Wellness Program.

The Board discussed voluntary medical forms with Guthrie; the matter had also been scheduled to discuss with legal counsel that afternoon.

NANCY MARSHALL—PLANNING AND ZONING REPORT

Planning and Zoning Assistant Administrator Nancy Marshall, Code Enforcer Shawn Denham, Mapper Mark Reyes, and Clerk/Auditor/Recorder Michelle Emerson were present.

Marshall gave statistics from the Planning and Zoning Office monthly written report. She told the Board that a computer glitch had expired all of the permits in her office and that Computer Arts did not know why. She said employees were reticent to enter more permits until they knew how the glitch had occurred.

Denham read from his code enforcement report and answered questions from Commissioner Roemer.

Marshall and Denham expressed concerns about violations of irrigation water on roadways. They said the P&Z office would like to help the road districts maintain the integrity of roads as well as to mitigate inconvenience to citizens but that violators receive no consequences.

Denham explained that he sends two warning letters; he said the third violation would result in a citation for an infraction, but a law enforcement officer would need to issue the citation. Marshall said a deputy used to accompany the former code enforcer but that he retired and had not been replaced.

Marshall believed that ineffective enforcement is worse than no enforcement. She said complainants are angry because they do not see results from their complaints.

➤ It was determined the Board would discuss water violations with both its legal counsel and the sheriff's office later in the day.

Marshall gave an overview of the activities of the new mapping department. She then told the Commissioners the Jerome Cemetery District had asked the County mapper to create a map labeling all the plots in the cemetery. The Board determined that the District would need to pay for the mapping service.

Denham was excused.

Marshall said providing mapping services would be valuable to the citizenry.

- It was determined to consult legal counsel about mapping later in the day.

Reyes was excused.

Marshall continued with P&Z's monthly report.

MANDY HARPER—SIGN HARP-SHEP SUBDIVISION FINAL PLAT

Planning and Zoning Assistant Administrator Nancy Marshall was present. Also present were Mandy Harper, Stephen Cook, Robert Capps, Samuel Gomez, Mike Hadlock, Kevin Boer, and Sheila Capps, all residents of the Lazy T Subdivision.

Marshall explained that a new final plat, with a new subdivision name, was required to accomplish a lot line adjustment in a platted subdivision.

Robert Capps, as acting president of the homeowners association, expressed concerns about preventing subsequent subdivisions and preserving the existence of the association. Commissioner Howell and Marshall advised him to seek legal counsel. Marshall said that the subdivision restrictions could be amended and that replatting the subdivision would assure that the lot lines were specific.

❖ A Motion was made by Commissioner Howell to approve the Harp-Shep Subdivision Final Plat as presented. It was seconded and carried with unanimous ayes.

GEORGE OPPEDYK AND MARISELA IBARRA—DENTAL CONTRACT

Deputy Sheriffs George Oppedyk and Marisela Ibarra were present.

Ibarra told the Board Dr. David Wilkes had offered a contract to come to the jail to provide dental services.

Sheriff Doug McFall was present.

Ibarra said there was money in the budget to cover the costs of additional equipment needed for the doctor. She added that the contract would enhance security because deputies would not need to provide dental services by transporting inmates outside the County's secure facility.

❖ A Motion was made by Commissioner Howell to approve the contract agreement with Dr. David Wilkes upon approval by legal counsel. It was seconded and carried with unanimous ayes.

- Ibarra said she would present the contract to legal counsel for review.

MARIA BUCKLEW AND RESIDENTS—IMMIGRATION CONCERNS

Present were Sheriff Doug McFall, Deputy Sheriffs George Oppedyk and Marisela Ibarra, Clerk/Auditor/Recorder Michelle Emerson, Human Resources Director Kansas Guthrie, Planning and Zoning Assistant Administrator Nancy Marshall, Prosecutor Mike Seib, and Interpreter Lorena Aguilar.

Also present were approximately 147 members of the public, with more standing in the hallway.

Commissioner Howell announced that the Board would not answer questions but would allow speakers three minutes each.

Aguilar translated from Spanish to English or vice versa as residents voiced their opinions.

The following people spoke against the County housing prisoners from ICE (Immigration & Customs Enforcement): Margie Gonzalez, Janie Miller, and Benjamin Reed. Testifying in favor of housing ICE prisoners were Jerry Holten and Janet Freeman.

County Interpreter Jesus Mendez was present and translating.

Further comments against holding ICE prisoners were offered by: Albino Ortega, Bob Naerebout, Anna Vasquez, Maria Bucklew, and Larry Laub (followed by clapping).

Aguilar was present and translating.

Further statements offered against accepting ICE prisoners were given by: Pedro Cosio, Kathy Griesmyer, Maria Andrade, and Claudia AreMane (clapping).

Mendez began interpreting.

Continued testimony against housing ICE prisoners was given by: Michael Johnson (clapping), Stephany Sandoval, Alex Custuneda (clapping), Araceli Garcia (clapping), and Juan Gonzalez (clapping).

Commissioner Howell closed comments because of the time restraint and thanked those present for their courtesy. He said those not speaking could send the Board their written comments and added that consideration of a contract with ICE would be on a Commissioners' subsequent agenda.

BRIANE MCCOY—PUBLIC DEFENDERS GRANT APPLICATION

Clerk/Auditor/Recorder Michelle Emerson, Attorney Mike Seib, and Treasurer Tevian Ekren-Kober were present. Also present was Briane McCoy, regional coordinator for the Idaho State Public Defense Commission (PDC).

McCoy addressed the Board with the PDC's concerns regarding its denial of a grant application for public defender funding and said the County could submit a revised application by July 21. The Commission's concerns were the amount of 2017 grant funds not expended and a plan for using any FY 2018 grant funds the County would receive.

➤ Emerson said the Board would speak with the County's public defender attorneys to ascertain their needs before resubmitting the 2018 grant application.

TEVIAN EKREN-KOBER—TAX DEED HEARING (recorded)

Treasurer Tevian Ekren-Kober, Assessor Rick Haberman, Appraiser Lucy Noble, and Attorney Mike Seib were present. Also present were Carly Yager Johansen, Ryan Yager, and Gene Brown.

Ekren-Kober read the steps her office had taken since January 13, 2017, because of property taxes owed by Carly Johansen that were overdue by three years and in jeopardy of the County filing for a tax deed. She said Johansen could redeem the property before the County would auction it but that she would have to pay all back taxes to do so.

Seib advised the Board could recess the hearing in order to allow Johansen time to pay overdue taxes.

Yager said he could make payments every two weeks in order to pay for 2013 taxes.

➤ The Board determined to continue the hearing until August 28 at 1:30 P.M. before making a decision to take the property by tax deed.

BOARD OF EQUALIZATION

Decisions from July 3 assessment appeals were continued until July 11.

GENE BROWN—EDEN/HAZELTON AMERICAN LEGION UPDATE AND BUDGET REQUEST

Gene Brown, American Legion Post Commander in Eden, was present.

Brown updated the Board on the use of the \$1500 that the County had provided the Legion for FY 2016-17. He said the Post had sent four youth to Girls State, upgraded the meetinghouse lighting system, and refinished its floor.

Brown said the Legion would appreciate any contribution from the County for FY 2017-18. He said Legion members were planning to change light fixtures, refurbish the front of their building, and add a 24-hour-a-day lighted flag. He added that plans also included beginning a Sons of the American Legion Squad.

INDIGENT MATTERS—SUBORDINATION REQUEST FOR CASE NO. 0809-082

Social Services Director Kim Burlington, Payroll Clerk Lorrann Morrell, Human Resources Director Kansas Guthrie, and Deputy Sheriff George Oppedyk were present. Also present were Linda Blamires (seeking a lien subordination) and her niece Ellen Driesel.

Burlington advised that a lien subordination agreement would not affect the County's lien for payment of medical services.

❖ A Motion was made by Commissioner Howell to sign the subordination agreement for Linda Blamires. It was seconded and carried with unanimous ayes.

➤ Signing indigent decisions was continued until later in the day.

MIKE SEIB—LEGAL COUNSEL

Attorney Mike Seib, Deputy Sheriff George Oppedyk, Code Enforcer Shawn Denham, Planning and Zoning Assistant Administrator Nancy Marshall, Clerk/Auditor/Recorder Michelle Emerson, Deputy Clerk Lorrann Morrell, and Human Resources Director Kansas Guthrie were present.

Water on the Road: Code Enforcer Shawn Denham and Deputy Sheriff George Oppedyk were present. The Board continued its deliberations from the morning about enforcing irrigation water violations.

Deputy Oppedyk said it was his understanding that the code enforcer would investigate a complaint and then call the sheriff's office.

Seib said the code enforcer could sign a citation and then a deputy sheriff would have to serve it. He suggested that complainants receive copies of warning letters sent to violators.

➤ It was determined the code enforcer would give violations to the sheriff's office, rather than to the prosecutor.

It was decided that weekend violations could be signed by either a sheriff deputy or a complainant, with any necessary investigation followed through by the code enforcer the next week. Deputy Oppedyk said he would tell the other officers the procedure.

➤ Marshall and Denham were to write a protocol for dealing with violations to submit to the Commissioners.

Voluntary Medical Forms for Employees: Clerk/Auditor/Recorder Michelle Emerson, Payroll Clerk Lorrann Morrell, and Human Resources Director Kansas Guthrie were present.

Seib said he had approved employees at the Judicial Annex Building voluntarily submitting medical information to be accessed in case of an emergency. He said the details of where to

store the information and who could access it would need to be determined for Courthouse employees.

Indigent Contract: Seib reported he was modifying a contract for mental holds, and the matter was continued until July 17.

Mapping for the Cemetery District (continued from the morning): Seib advised the County could lend its equipment to another government agency and that the Cemetery District could possibly pay the County mapper directly for mapping services.

APPROVE CLAIMS

This matter was continued until July 11.

READ AND APPROVE MINUTES

Approving the minutes was continued until July 11.

INDIGENT MATTERS, Continued

❖ A Motion was made by Commissioner Morley to accept indigent decisions as written. It was seconded and carried with unanimous ayes. Approved were Case Nos. 1617-054 (1/2) and 1516-107. Denied were Case Nos. 1617-056; 1617-057; 1617-063; 1617-062; and 1617-054 (1/2); dismissed were Case Nos. 1617-038; 1617-031; and 1617-028.

Meeting recessed at 4:50 P.M.

Respectively submitted:

Charles M. Howell, Chairman

Jane White, Deputy Clerk

Catherine M. Roemer, Commissioner

Roger M. Morley, Commissioner