

MEETING MINUTES OF A REGULAR MEETING
OF THE BOARD OF ONEIDA COUNTY COMMISSIONERS

The meeting was opened by Commissioner Stokes.

Commissioner Firth called for amendments to the agenda. Commissioner Daniels asked for time to discuss the building inspector position and it was determined this could be done during the Planning and Zoning/building permit block.

The results of the November 7th consolidated election with Malad City and the Oneida Fire District was canvassed for final approval. Two positions for City Council were on the ballot. Incumbents Larry Thomas and Larry Knudsen were the only citizens seeking election. Mr. Thomas received 312 votes and Mr. Knudsen received 227 votes. Both will stay in office. The Oneida Fire District had two open positions on the ballot. District one position had two citizens running. Gary Shepherd received 384 votes and David Buttars received 238 votes. District two had incumbent Ray Davis running unopposed. He received 524 votes.

Commissioner Stokes made the motion to approve the results as presented.
Commissioner Daniels seconded and the motion carried.

The claims were reviewed for payment and the previous meeting minutes were reviewed for approval.

Commissioner Daniels made the motion to approve the claims for payment as submitted.
Commissioner Stokes seconded and the motion carried.

Commissioner Daniels made the motion to approve the minutes from the October 26th meeting as written.
Commissioner Stokes seconded and the motion carried.

Commissioner Stokes made the motion to amend the agenda to add veterans memorial discussion.
Commissioner Firth seconded and the motion carried.

Department reports –

Sheriff – Three dispatchers are currently attending POST. Two patrol officers will attend POST in January.

Prosecutor – We had two possible jury trials but one has settled. The second case is scheduled for mediation in hopes to avoid a trial.

Probation – Home checks have increased with success. We are working with the schools and will start attending the Wednesday Principals meetings. Detention will be used to help enforce the rules.

Treasurer – Tax bills have been sent out.

Assessor – New construction calculations are about complete. Revaluation is coming up and the State is looking close at the agricultural land. It was suggested that a county gas card be obtained for the new county vehicle purchased recently.

Road and Bridge – Work is about complete on South Bull canyon road and if the weather holds out the crew will move to the Pocatello Valley road. Culverts are being cleaned out in preparation for the coming winter and spring seasons.

Clerk – all departments were reminded about the ICRMP training requirements and the need to have their employees complete the process before the end of December.

Personal Time off proposal – A few of the departments have been discussing the option to eliminate sick leave and award PTO time instead. There was some discussion as to how it would be converted over and what would happen to the existing sick leave that employees have accrued. It was suggested by the commissioners that all departments work together and bring a few different options back for future review. It was further suggested that these options would be addressed in the January 9th meeting.

Holiday work schedules were discussed.

Commissioner Daniels made the motion to close the county offices on the Friday after Thanksgiving as an additional holiday.

Commissioner Stokes seconded and the motion carried.

Commissioner Daniels made the motion to move the four hours granted on Christmas eve, which falls on a Sunday this year, to Friday, December 22nd.

Commissioner Stokes seconded and the motion carried.

Cell phone policy – County Attorney Cody Brower reminded the commissioners that county property cannot be used for personal use. His concern is that some departments provide cell phones for their employees and that some of these phones are used for personal use. Law states that there are tax implications when a company gives an employee a phone or car, etc. to use. Most counties have opted to give the employee a stipend each year to employees who use their personal phone for company business. Cody proposes that Oneida County does the same. He suggests that employees who need phones can opt to carry a personal phone and a county phone or purchase their own cell phone and then receive the allowed stipend. It was further suggested that the stipend would be awarded at three different levels based on use. The three levels would be low usage, medium usage and high usage with the stipend being paid at the \$20.00 - \$40.00 and \$60.00 dollars per month respectively. It was noted that the company can still provide the phones where needed however the employee must carry his own phone for personal use.

Commissioner Daniels made the motion to table the discussion until someone could speak with ICRPM about the issue.

Commissioner Firth seconded the motion and the motion carried.

The medical benefits provided for county employees have been questioned and Commissioner Daniels took the time to show comparisons with other options that are available. It was determined that the benefits plan is on the higher end of available medical insurance plans and she also reminded those present that the county still pays 100% of the premium.

Narrows update – Nathan Cleaver from Keller Associates, reported on the progress for the "Narrows" project. He indicated that all the cost estimates are coming in close to, or under budget. They are still working on obtaining the right of way permit and should have them soon.

It will now be a one year project which will help cut costs, rather than building in two summers. This will mean that the road way will be shut down completely during construction.

Planning & Zoning – Six building permits were issued in October. An accessory building for Dave Evans, New Stick built homes for Jeffery Hollingsworth and Scott Larsen, and ag. Buildings for Boyd Stokes, Travis Mathews and Dan Anderson.

David Schow is seeking a variance for his set back on the front of his home. It is in question as to whether he needs a setback variance or not so he is asking for the variance to cover all bases.

Commissioner Daniels made the motion to grant the set back variance for David Schow. Commissioner Firth seconded and the motion carried.

The Development code is under review by the P&Z commission and they are looking at changing the county designation from multi-use to area specific designations. It was mentioned that the county tried this several years back but the idea was met with much resistance.

Commissioner Daniels made the motion to approve the October building permits as presented. Commissioner Stokes seconded and the motion carried.

A local ham radio club has been active in the community and would like to assemble a trailer with radio equipment that can be used in the event of an emergency. They are all volunteers and many of them are active in the search and rescue organization as well. They came before the commissioners to seek approval to keep the trailer on county property near the search and rescue building for ease of access in time of need. The main concern by the commissioners is the issue of insurance. The county can't insure others property however the equipment will need to be insured. The commissioners indicated that they are in favor of the action if insurance is provided. The county insurance agent will be called to verify that this will be ok.

Brian Waite introduced the commissioners to a new style of fire extinguisher that uses liquid rather than dry chemicals. He has talked with the departments that have vehicles as this product is not rated for building yet. The product looked promising yet costly. No purchases were made.

Lyle Hansen, district director for the Uof I extension services, met with the commissioners. He was excited to report that Jacob Rickman has been selected to be the new Oneida County agent and is scheduled to start in January of 2018.

DEQ representative Bruce Olenick paid a quarterly visit to the commissioners and to offer assistance in any issues that may be going on. He was glad to report that the old landfill was finally closed. The only question that came up was in regards to local mink farms and the length of time a carcass can be left in the open before it must be buried. Bruce indicated that this would be more of a department of agriculture issue, but said he would look into it.

BLM representative Blaine Newman addressed the commissioners regarding the recent fire year and the road maintenance agreement with the county. He indicated that they would like to revise the plan going forward. It was noted that they may be able to work more road miles than originally discusses and would like to work with Road and Bridge to identify a priority of roads to receive maintenance. It was also discussed that the road leading to the communication towers in the west hills is in need of some upkeep. Where many different entities use this site it is

suggested that all users take part in keeping the road in good condition. The BLM made the request that the county, as a user of the site, might help in this road repair. Another issue of concern is the lack of fire protection in the western part of the county. One option for these citizens is to organize an association with neighboring land owners and work with the BLM to create a rangeland fire protection association. Currently they have opted out of being part of the Oneida Fire District.

Road right of way - Ben Gleckler purchased a small piece of property in the St. John area and built a home. The road leading to his land has been questioned as to being a county road or private road as it runs through private farm ground. Mr. Gleckler is close to finalizing the paperwork on his house and needs legal proof/easement on this road leading to his house. Mr. Gleckler claims that a county official told him it was a county road. He built his home with the assumption that he had access to his property on this road and now there is a controversy of who can use this road. He would like the county to step in and help him gain access on this road. He provided a map he received from the Assessor's office showing this road color coded the same as that referenced as county roads in the map legend. The assessor claims that all her maps are for reference only and that she directs people to the road and bridge department for verification on county and private roads. Many questions and concerns were voiced from the Glecklers, the assessor's office and from a representative of the current farm land owner. County Attorney Cody Brower explained that what has happened to this point is in the past. The current situation is that the road appears to be a private road and the county does not have any legal basis to step in and declare or give access to any person for any reason. He further explained the difference between public roads and private roads and what would constitute a public access road through private property. In some circumstances a road could be considered a public access road if it is used and maintained for a period of time as determined by Idaho law. It was suggested that the use of this road prior to 1985 when the laws were changed, could help determine the actual status of the road but this would need to be determined by the courts and not the commissioners. Other comments were voice from those in attendance. It was suggested by Attorney Brower that an emergency executive session be called.

Commissioner Daniels made the motion to amend the agenda to allow for an emergency executive session per IC 74-206 (1)(f).

Commissioner Stokes seconded and the motion carried.

Commissioner Daniels made the motion to move into executive session per IC 74-206(1)(f).

Commissioner Stokes seconded and the motion carried.

Following the executive session Chairman Firth indicated that the county must stay neutral in the issue. That no laws exist that would allow the county to step into this private issue. He recommended that Mr. Gleckler first try to talk with the land owner and work out some solution and if unsuccessful, then research the public road laws prior to 1985 to try and prove his access. A final reminder was given that all that was said in the meeting should not be construed as legal advice to any person and that the county attorney can only give advice to the commissioners on behalf of the county.

Jack Harwell asked for the commissioners permission to continue providing the ice skating rink at the fair grounds near the search and rescue building. Reed Smith has normally taken care of this service to the community but health has limited him and Mr. Harwell has stepped in to help.

The commissioners agreed that the skate rink could stay at its current location with Mr. Harwell having oversight. Mr. Harwell further asked if a load of dirt/clay could be placed in the middle of the rink so that he might level it off and thus eliminate the deep hole in the middle and reduce the amount of water needed each year. The commissioners agreed to bring in the load of dirt.

Chairman Firth asked if anyone was present for the purpose of meeting with the Board of Equalization. No one came forward and the clerk reported that no one had called to schedule an appointment for this purpose either.

Board of Equalization was not convened.

The topics of Herd District and Development Code were tabled.

The law enforcement contract with Malad City was presented in its final form for commissioner approval. This contract will be for one year with renewal coming at the end of the fiscal year.

Commissioner Daniels made the motion to approve the law enforcement contract with Malad City.

Commissioner Firth seconded and the motion carried.

The 2018 fiscal year raises were discussed. The Sheriff made the request that the part time dispatch and patrol officers be given a raise of one dollar per hour. He stated that it is hard to find part time employees to work when full time employees take time off.

It was further mentioned the Sheriff didn't request a raise for himself at budget time however the commissioners thought that their approval of the 2% raise for employees would be given to all and the clerk thought it was for those who requested a raise.

Commissioner Daniels made the motion to approve the \$1.00 dollar per hour raise to all part time dispatch and part time patrol deputies effective on the next payroll.

Commissioner Stokes seconded and the motion carried.

Commissioner Daniels made the motion to approve a 2% raise to the sheriff effective on the next payroll.

Commissioner Stokes seconded and the motion carried.

Commissioner Stokes expressed a desire to improve the looks of the veteran's memorial by giving financial aid to help rebuild the deteriorated wall on the adjacent building. It was estimated that the cost would be around \$6,400.00 dollars. The suggestion was made to look at the city/county economic development organization to see if they might have money they could award in the form of a grant to aid in this effort.

County insurance administrator Scott Leavitt spoke with the commissioners and explained that the Alt Bentley Yates Company, currently used to administer the supplemental insurance, had recently been bought out and that their quality of work has plummeted under the new management. He asked for permission to seek other options and provided a quote from an Idaho company that could provide the same service for about the same cost. The company suggested is Integraflex.

Commissioner Daniels made the motion to move forward with the change from Alt Bentley Yates to Integraflex.

Commissioner Firth seconded and the motion carried.

Jail Contract – Commissioner Stokes proposed that the county should look to housing the inmates at a facility in Cache Valley Utah. This option was brought up as a possibility along with Caribou County. The option of going to Power County has been removed from the table. Liabilities for transportation working with Utah along with ease of access by the defense attorney are two concerns that make this option unfavorable. The cost to house inmates would be significantly cheaper on the cost per bed per day but other hidden costs are in question. The sheriff indicated that in talking with Franklin County, they had to convert their Spillman program over to read with Utah which eliminates them having access to Idaho information. This was a deterrent for the Sheriff.

Attorney Brower indicated that the county struggles to meet the PDC standard now in place with inmates in Idaho. He stated that the requirements will only get more strict and harder to manage.

ICRMP stated that they would not cover accidents that occur in Utah.

Sheriff Jones asked for some time to investigate the Cache Valley option.

With no further business, the meeting was adjourned.



Max C. Firth, Chairman



Matthew L. Colton, Clerk