

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

The meeting was opened by Commissioner Stokes.

Marvin Christensen questioned the commissioners as to the county being a sanctuary county or if they adhered to the State laws. He indicated that he has a problem near his house that is located south of exit three on Old Hwy. 191. He further explained that he spoke with the sheriff and the county prosecutor but they had both indicated that they could do nothing about the issue. Mr. Christensen further stated that he had sent a written letter to these individuals asking about this issue but received no response from either of them. Cody explained that he was not in a position to respond to the demands that were in the letter as it would be for the commissioners to decide. The commissioners asked what the issue was but Mr. Christensen wouldn't state the complaint out right so county Attorney Brower responded.

Mr. Christensen has a neighbor that runs a trucking business from his home. The claims are that he parks his Semi's in the county right of way in front of his house. While parked in this location he works on the trucks and performs maintenance. When not being worked on he further claims that they are left running throughout the night.

Mr. Christensen explained that his wife is homebound and mostly looks out just one window of their home which looks directly across the road at these trucks and that the constant noise is also a bother to her. Cody explained that Oneida County is not a sanctuary county and that the State laws are adhered to. Mr. Christensen indicated that if Oneida County follows Idaho law then he will have his lawyer help in writing a formal complaint to the county.

It was stated that there are many instances throughout the county where people park in front of their property on the county right of way. Commissioner Daniels asked Mr. Christensen if the neighbor was running his business before or after he moved there. He responded that the business came after he moved across the street. Sheriff Jones explained that there is a difference between the letter of the law and the intent of the law and officers have some discretion when responding to calls, and cited speeding violations as an example.

Mr. Christensen stated that the law should be decided by the Judge and not by elected officials. No action was taken at this time however Mr. Christensen indicated that he would be submitting a complaint.

Oneida Crisis Center – Financial director Krystal Bates asked the commissioners what the long term plans are for the county. She indicated that the crisis center is planning for the future and wanted to know what the county plans are so they can plan to better serve the county. Krystal reported on the number of people served by the crisis center through various means such as monthly senior food boxes, or clients needing to stay overnight. Commissioner Daniels asked about repeat customers vs. new clients receiving help. Funding sources were discussed and the commissioners agreed to give consideration to the crisis center when working through their FY2019 budget.

Soil and Water – Dallan Nalder asked the commissioners to consider the Soil and Water District when discussing their FY2019 budget. They made the request for \$15,000.00. Dallan reported that the boat check station is active and out of 910 inspections they have found a total of four boats with the invasive quagga muscle. Of the 22 stations throughout the state they have found 17 boats total carrying the muscle.

Roads and Subdivisions – Mike Asay explained that a road traveling past his house has been thought to be public access to the Pleasantview reservoir. He said that Fish and Game officer Kyle Christiansen told him that the road was present on Google maps and that it was a county road. Mike is asking the commissioner to clarify the status of the road. Mr. Asay explained that the land was sold to the water company for the purpose of creating the reservoir and at that time an easement was given to the water company for this access. The land is in the middle of his field and does not lead to public lands. Commissioner Daniels suggested that the Asay's petition to have the road vacated but acknowledged that a letter could work if no one contested. It was further noted that the public has access to this reservoir if they come to the north end.

Cathy Asay had a second issue that she wanted clarification on. She is looking to purchase some land from Kathy Schwartz. The adjacent land owner claims that it is part of his subdivision and must follow the Declaration of Covenants that he has recorded. Cathy stated that with the help of the recorder's office she had found a survey has been filed but that no permit or plat map has been approved. It was further reported that the roads were not up to standard as they should have been if the subdivision was official. Commissioner Daniels suggested that the issue be investigated more thoroughly before a decision could be made.

Fair board – Plans for a new display building at the fairgrounds have been discussed for some time. A conceptual drawing was provided for the commissioners to review. The floor plan included a new office for the Extension agent, storage for election equipment as well as fair board materials and a new bathroom facility and kitchen for the 4-H needs. The commissioners ask that the information be provided to the public so they can discuss it prior to holding a public hearing. Although this is not mandatory the commissioners wanted to give the public some time to voice their thoughts regarding the proposed construction. The hearing will be scheduled for June 25th, 2018.

County Attorney Cody Brower presented a draft of the proposed gravel contract that will be presented to the construction company receiving the bid for work on Old Hwy. 37 in Holbrook. This contract will be to sell gravel to the contractor in an effort to help cut the overall cost of the project. The commissioners discussed the tracking of the volume of gravel used and the possible need for a separate bond as well as the payment method and frequency. The changes will be made and brought back to the commissioners for approval.

Sheriff Jones is having trouble finding part time bailiffs and transport personnel. It was suggested that he be allowed to take one of his full time deputy's and reassign him to a position where he would cover the Malad City ordinance enforcement, transports, bailiff duties, serve the civil papers and perform other duties related to the office operations. Where he is POST certified he would still be available to help with the patrol duties if needed. Sheriff Jones indicated that this new position would be paid less however full benefits would still be given.

Commissioner Daniels made the motion to approve the consolidation of part time bailiff and transport officer with assignments to cover the city ordinance enforcement and to serve civil papers into one position and to reduce the part time positions. Commissioner Firth seconded and the motion carried.

Records retention – Sheriff Jones is cleaning out several years of documents and asked the commissioners about destroying the old files. The state has a records retention statute that

defines what type of records need to be kept and for how long. Attorney Brower will help draft a resolution that can be used when presented to the commissioners for approval. It was stated that the resolution needs to have an audit attached. The audit would basically state the documents included in the destruction. A resolution will be drafted at a later date when all documents have been identified and are ready for disposal.

Certificates of residency – Three CoR's were presented for approval. Elizabeth Clark, Stetson Davis, and Christopher Jacaway.

Commissioner Stokes made the motion to approve the certificates of residency as presented. Commissioner Daniels seconded and the motion carried.

Airport maintenance – Bunch grass was planted on the grass runway some time ago however this is not the best grass for runways. Commissioner Firth indicated that it would be best to have it sprayed and then drilled with a different seed that is better for this purpose. The asphalt runway is showing severe signs of cracking and separation. Commissioner Daniels indicated that it is still in good enough shape that it can be fixed however it should be done soon. It was suggested that a full fix could cost about \$250,000.00. It was also reported that the rebuild of the North West section of fence along the grass runway has been completed.

Building permits – Three permits were presented for approval. Carport for Marilyn Mansfield; Four Ag buildings for Heritage Valley Poultry; New stick home for Max Firth.

Commissioner Daniels made the motion to approve the four ag building permits for Heritage Valley.

Commissioner Firth seconded and the motion carried.

Commissioner Daniels made the motion to approve the carport for Marilyn Mansfield. Commissioner Firth seconded and the motion carried.

The permit for Max Firth was not signed by the building inspector and was not approved at this time.

Department of Environmental Quality – Bruce Olenick spoke with the commissioners about the post closure of the old landfill and the life of the current landfill. Bruce indicated that Caribou County is still pursuing a regional landfill and that it could be an option for Oneida County in the future. He also asked if the milk farms were running ok and offered his help if the commissioners needed assistance with this or any other situation in the county.

Kapp Construction – Ricky Yorgason has opened a company called Malad Rock Products. This company is operating in the gravel pit east of Malad on the frontage road and deals in rock, gravel and sand products. They are in the process of opening a recycle center for demolition and construction waste and would like to partner with Oneida County in this endeavor. Commissioner Daniels reported that she has been working with them on the removal of the discarded cement by the county scales south of Malad, and they have been good to work with. She thought it would be good for the county to explore this prospect as they plan for future growth in the county.

Hospital – Administrator John Williams reported that he has been in contact with the land owner of property adjacent to the hospital on the North West corner. This person expressed interest in selling the land and Mr. Williams asked the commissioners to consider this purchase. John indicated that they are short on parking and this could be used to correct this issue. He further indicated that the clinic is being leased at the rate of \$2,500.00 per month and suggested that the owner may be looking to sell that property as well. He reminded the commissioner that they have limited room to grow and short of a small piece of land to the east of the hospital, there isn't much available. It was reported that the ER suites need to be remodeled and that some of the long term goals are to construct a permanent home for the MRI units that is currently in a mobile trailer. Although the commissioners didn't make any commitments, they did say they would give it some consideration.

The claims and minutes were reviewed for approval.

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

Commissioner Daniels made the motion to approve the minutes as written.
Commissioner Stokes seconded and the motion carried.

Building inspector concerns – Virginia Edlefsen addressed the board about the issue of the building inspector and the question as to him being a contractor causing a conflict of interest. She referred to documents provided at her previous visit however none of the persons in attendance at that meeting remember receiving the papers as claimed. Mrs. Edlefsen indicated that she would provide another copy for the record and then proceeded to recap what the letter said. She stated that she had attended a recent planning and zoning meeting where some questions were asked and then answered incorrectly. Her concern is that the building inspector is also a contractor and she felt that this was a conflict of interest. She further explained her understanding that he was inspecting his own work via photographs. This is not only a conflict of interest but implies a different set of standards for different builders. Mrs. Edlefsen then asked about the hiring process used by the county. Commissioner Daniels explained that the planning and zoning wouldn't know about the inspector as they do not have oversight of his work and assignments. Commissioner Daniels further stated that Franklin County has made an agreement with Oneida County to inspect all of Mr. Phillips work going forward. Mrs. Edlefsen indicated that she had passed a petition around and found that several of the local contractors were concerned about the current inspector. Most of them won't come forward to voice their complaints because they are afraid of possible retaliation she said. It is her feelings that as a public official he should be concerned about the public's interest and not his self interest as a builder as this only adds to the conflict. Mrs. Edlefsen reiterated that she is looking for what is best for the county and offered to help with finding a solution.

Two documents were presented and, per commissioners instructions, are to be filed with the minutes. The first document is dated May 14th, 2018 and was written by Virginia Edlefsen. The second document is dated October 25th, 2015 and was written by David Edlefsen.

Clerks note: When typing the minutes it was found that the second document cannot be included in the file as it is of a personal nature (complaint letter) that will require it being placed in the employees personnel file. The commissioners will be made aware of this in the next meeting.

May 14th, 2018

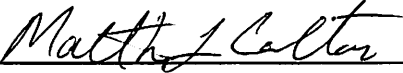
The County Clerk reported on a payroll law seminar he attended. It stated that county is doing well on all accounts except time tracking of a couple of salaried position. He indicated the time sheets will be created for these individuals for the next pay period.

With the county taking the second and last property on the list for possibly going tax deed, the question was asked as to when the commissioners were considering the sale of said properties. The date of July 23rd, 2018 was suggested. Notices will be drawn up for this date.

The meeting was adjourned.



Max C. Firth, Chairman



Matthew L. Colton, Clerk