



ONEIDA COUNTY COMMISSIONERS

BILL LEWIS, CHAIRMAN – BOB CHRISTOPHERSEN – KEN ELIASON

10 COURT STREET, MALAD, IDAHO 83252

Meeting Agenda

February 14th, 2022

Meeting location – Event Center Conference room
459 South Main Street

9:00 A.M.	Consent agenda – Payment of Claims and January 24 th , meeting minutes.	Action item
	New Canyon Road issues – Chelae Teeples	Discussion
	New Canyon Road – Max Tavoian	Discussion
	Juvenile Justice report - Stace Gearhart	Discussion
	Simulcast racing Linda Daniels Pickard	Discussion
	Simulcast agreement Tod Thomas	Action item
	Cherry creek subdivision agreement	Action item
	R&B camera system	Action item
	Gifting the new industrial park road leading to 100 West to Malad City.	Action item
	Whitaker contractor agreement to use county property for office trailer.	Action item
	Sheriff Vehicles	Action item
	Sheriff report	Discussion
	Emergency Services grants. Updates – spending proposals.	Action item
	Building inspector report	Discussion
	Planning and zoning report	Discussion
	TV Translator district- Board member term rotation	Action item
	Modification to the County holiday pay policy.	Action item
	County cell phone policy discussion	Action item
	Williams subdivision PLAT map approval	Action item
	Solid waste discussion - Follow up from last meeting	Action item
	Treasurer report	Discussion
	Blake Morgan Old Hwy. hearing Assessor	Discussion
	ESRI renewal for county mapping Assessor	Action item
	Balazs property Assessor	Action item
	Assessor report	Discussion
	Ordinance approval to amend Chapter 6 Sec. 3 of Development code.	Action item
	Executive session per IC 74-206 (1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.	
		Action item
	Discussion/decision on pending legal actions against the county	Action item



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Meeting minutes for February 14th, 2022

Commissioners in attendance: Bill Lewis, Robert Christophersen, Ken Eliason

Commissioner Lewis opened the meeting with the Pledge of Allegiance and prayer.

Commissioner Lewis made the motion to add elevator bid opening to the agenda for discussion only. Commissioner Christophersen seconded. All commissioners approved and the motion carried.

Consent agenda; consisting of the claim's approval and the meeting minutes for January 24th meeting.

Commissioner Eliason made the motion to approve the consent agenda.

Commissioner Christophersen seconded. All commissioners approved and the motion carried.

New Canyon Road issues – Chalee Teeple expressed her concerns about safety issues on the New Canyon Road. Narrow road, heavy traffic, blind corners. She also has concern with the school bus stop located at the intersection where New Canyon Road and Old Hwy. 191 meet. Here the bus will stop for the school children however there doesn't seem to be enough room for parents to park their cars while they wait for the bus. Due to the narrow road, the children are at danger of being hit as they walk up the road to get home. It was stated that they did not want to take private land from anyone and they know that the county doesn't have unlimited funds to spend on major improvements like this however they did want to have some productive communication with everyone involved, for the purpose of finding a good solution to the safety of the residence.

Suggestions given were speed bumps before the blind corners, reduction of speed limits, better configuration of the school bus stop, guard rail on the dugway where you transition onto the New Canyon Road.

Commissioner Christophersen wanted clarification and asked if they wanted to reroute the road but Chalee indicated that they were not seeking to reroute the road as that would involve taking private land. Commissioner Eliason asked what the posted speed was. 30 miles per hour was claimed however several of the residence in attendance claimed the average speed for most traffic was 50 mph to 60 mph. It was also questioned as to why the school bus didn't travel on the dirt road. Max Tavoian stated the when the school board first addressed the issue back when people started moving into the area that the bus would not travel on the road due to the road not meeting the proper standards and that all children would need to be transported to the bus stop. Although some of those in attendance wanted the road wider and to authorize the bus to travel to each stop commissioner Lewis indicated that that would not fix the problem at hand and that it would need to be a long-term plan if that was the direction to be taken. He further indicated that the school board needed to hear the concerns from those that were present and that the county could speak with the school district in an effort to work together for good improvements on the safety concerns that have been expressed.

Max Tavoian spoke next. He stated that he agreed with most of what Mrs. Teeple had said however he has been against the subdivisions in this area all along because of the very same issued that have



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been mentioned in the meeting thus far. He stated that he was serving on the school board at the time the subdivisions were being discussed and that many a long meeting was held discussing all the issues. After months of discussion, agreements were made between the county, school district and the developers until both sides were able to agree on decisions that should set precedence on all future decisions. One of the solutions that Max agreed with is the reduction of speed from 30 mph to 20 mph on the curves/corners to leave the strait section of road at 30 mph if it was strictly enforced. The second item he suggested is that parents need to be on time at the bus stop. The bus stop was designed to allow the kids to safely exit the bus and then go directly to the waiting cars. The issue at hand is that the parents park on the approach going up the hill when they do get there in time, and that narrows the road. If the parents aren't there on time, then the kids start walking up the hill towards home. The third action that needs to happen is people need to be courteous to one another.

The commissioners approve the subdivisions on the basis that any improvements on this road would be done with a local improvement taxing district. The commissioners at the time stated that they would only add county money in the amount equal to what the state pays the county for that section of road. The residence at the time were not in favor of paying the improvement taxes and the project fell by the wayside. He further indicated that the citizens in the county would object if they thought that the county was going to fix this road with general funds when it only serves a few people. He further noted that the road is not owned by the county and that it was only a right of way for persons wanting to access the Forest Service property on the east of the subdivisions.

Max shared reports from the discussions prior to the approval of the subdivisions.

Commissioner Lewis asked those in attendance what their main concern was and they responded that the safety with children at the bus stop.

Road foreman Diana Dredge stated that they could place some fill dirt at the bottom but that would solve the whole issue. The dug way can be fixed without taking land. Signs could be placed along the road but then it comes back to the drivers obeying the signs and being courteous.

Commissioner Lewis noted that he has been to this area in the past and can't see a quick fix. He would like to look at the Marble property and see if they might sell some land to fix the dugway.

The Sheriff committed to doing more patrolling in the area if the residence could help identify times when the most violations occur.

Juvenile Justice- Stace Gearhart, district liaison to the county, provided his report on juvenile justice over the past 12 months. Youth arrests increased to 11 for the year. 10 charges were filed in 2021 with 8 of them being misdemeanors and 2 of them being status offences. The probation success rate for the year was 100% and the diversion success rate was at 80%. The average youth offender in the area is male between 14 and 16 years of age.

Simulcast horse racing- The commissioners were approached in a previous meeting and asked if they would support leasing their simulcast license for a period of 10 years. An agreement was drafted by county attorney Cody Brower who reminded the commissioners that the agreement was contingent on the county being able to obtain the license each year.



ONEIDA COUNTY COMMISSIONERS

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The agreement was reviewed and it met with approval. Tod Thomas, the member of the fair board that oversees the horse racing stated that they would also like a letter of support from the commissioners regarding the lease of the license.

Commissioner Eliason made the motion to approve the simulcast lease agreement and the letter of support for the lease application.

Commissioner Christophersen seconded. All commissioners approved and the motion carried.

Cherry Creek subdivision- a subdivision agreement was presented by the subdivider whereby authorizing, among other things, the approval of the PLAT map and the cash deposit of \$35,000.00 dollars with the county, to be held until one year after completion of the project for the purpose of completing any needed improvements.

Commissioner Eliason made the motion to approve and sign the Cherry Creek subdivision agreement. Commissioner Christophersen seconded. All commissioners approved and the motion carried.

Building inspector report – Mick reported that things are a bit slow at the moment however he feels that it will get quite busy in the near future. He has supplied several permit packets to requestors including two possible subdivision in the St. John area west of Malad City.

Planning and Zoning report – They are still working on the Development Code rewrite and expect to have it completed by the end of March. One board member has served two terms and has indicated that he would like to be replaced.

Road and Bridge security cameras- a bid for four security cameras to be placed at the road and bridge department, was submitted. The bid included labor and totaled \$1,250.00 dollars.

Commissioner Christophersen made the motion to approve the bid for four security cameras to be placed at the road and bridge yard, in the amount of \$1,250.00 dollars.

Commissioner Eliason seconded. All commissioners approved and the motion carried.

The city asked if their contractor for the waste water treatment plant setup their contractor trailer on the county land along 1500 south where the scales are located. An agreement was drafted and presented for approval by the commissioners. The commissioners wanted to make sure that they were covered in case of oil spills or other hazardous spills/damages and the agreement was adjusted accordingly. It was also determined that no charge would be applied in an effort to be a good neighbor.

Commissioner Eliason made the motion to approve the agreement to allow Whitaker Construction to setup their contractor trailer on county property at 1500 south near the county scales.

Commissioner Christophersen seconded. All commissioners approved and the motion carried.



ONEIDA COUNTY COMMISSIONERS

BILL LEWIS, CHAIRMAN – BOB CHRISTOPHERSEN – KEN ELIASON

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Dianna presented the legal description for the road in the industrial park leading to 100 west. Question was raised as to who owned the road and if the county could actually give the road away or if they would only need to transfer the assignment of the easement. After discussion on who owns the road and what rights the county did have, it was determined that the county could sign an easement over to the city.

Commissioner Lewis made the motion to sign over an easement, instrument # 149096 to the city of Malad and to sign a resolution as well.

Commissioner Christophersen seconded.

Further discussion: Commissioner Eliason suggested speaking with the landowners giving the easement.

The motion was tabled.

The topic will be brought to the next meeting.

Sheriff vehicles – four new vehicles have been received into the fleet. Used vehicles will be used in search and rescue and for reserve deputies.

One vehicle has a bad engine and needs to be excessed.

The commissioners are still looking for a good vehicle for probation.

Sheriff report- one deputy and one dispatcher recently completed their POST certification. Will be sending another deputy and dispatcher to POST this year.

The need for new radio system is still present. This need affects all departments That are dispatched; Ambulance, Fire, patrol officers.

Commissioner Lewis asked about the various components to the E911 radio system. It was explained that the first component is the telephone lines and mapping system that was paid for via grants. Bonneville County aids in this function to keep things updated. Phase two is called Spillman and acts as a data base for reports etc. the third piece is the radio communication system which included the dispatch console, radios used by the entities in their vehicles and the hand-held radios that they carry on their person. It is the third component that needs to be updated even though it is relatively new. The system that was purchased was not intended for emergency service dispatching.

A new bid has been obtained from Teton Communications and will run around \$80K to \$100K.

The commissioners asked about the comprehensive time accruals and the sheriff stated that he was encouraging his employees to use it when they could.

Emergency Services- Dan Williams reported that the quad band radio has been ordered. This radio will allow communication across several frequencies and will be paid in part with grant money.

He further reported that the hazard mitigation plan could be completed as soon as March.

TV Translator District- the commissioners still need to confirm that they have willing members to serve on the board and then they will assign terms of service for each so that they can rotate per Idaho Code.



ONEIDA COUNTY COMMISSIONERS

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Williams Subdivision- the developer is asking for final approval of the PLAT map and also a subdivision agreement and escrow agreement for 25% of the of the subdivision improvement cost. The commissioners have reviewed/discussed in the past.

Commissioner Lewis made the motion to approve the Williams subdivision PLAT map, Subdivision agreement and escrow agreement for 25% of the cost for improvements which is \$15,072.45 dollars. Commissioner Eliason seconded. All commissioners approved and the motion carried.

Modification to personnel policy for clarification on holiday pay. It was recommended that the effective date be the first of October 2022. Commissioner Lewis compared a few policies from surrounding counties. The main concern is with the verbiage of emergency work on a holiday. The Sheriff also questioned how holiday pay impacts his employees. Some have a work schedule that doesn't intersect with a holiday however if you don't take the holiday off you have to use it within 60 days. This could add to increase comp time for those that will then be required to fill. The discussion will be continued in a future meeting.

Cell phone policy- the commissioner have discussed a cell phone policy in the past and think that it would be beneficial to have an approve policy for the future. This policy would identify when a person could be compensated for using their personal phone for company business and, depending on what the usage is, receive one of three levels of compensation. The levels discussed would be minor at \$20.00 dollars per month, intermediate at \$40.00 dollars per month and high usage at \$60.00 dollars per month. A draft policy was presented for review.

Commissioner Lewis made the motion to approve the cell phone policy with an effective date of October 01, 2022.

Commissioner Eliason seconded. All commissioners approved and the motion carried.

Solid Waste- in a follow up discussion regarding how the city charged their residence it was found that the city would only charge for pick up when the city water service was turned on. The commissioners discussed what the county policy should be and it was stated that in the past, by other boards of commissioners, that they would only consider forgiving the landfill charge if the home was uninhabitable. The current discussion is in regards to someone that claims to have been over billed for several years however they have been receiving their assessment notices and have not contested any charges until now. Commissioner Lewis stated that if there was a concern in the past it should have been addressed in the past. He further stated that he could support removing any further billing from January 01, 2022 for the service to the property with just the shop. He was not in favor of refund taxes collected for past years. Commissioner Eliason seconded.

Commissioner Lewis made the motion to cease billing for the second collection can billing on property # RP0032601 beginning January first of 2022. To deny any refund for the payments made in the past



ONEIDA COUNTY COMMISSIONERS

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10 COURT STREET, MALAD, IDAHO 83252

for this second can or for the landfill. To deny credit for past payments on RP0060500 for pickup or landfill fees but to cease billing for future billing beginning January first 2022.

Commissioner Christophersen seconded. All commissioners approved and the motion carried.

Treasurer report- New part time employee has been hired on a temporary basis. Rachael Clark will help in the office for the next few months at an average of 19 ½ hours per week.

The 2021 interest collected for the Local Government Investment Pool (LGIP) is \$1,088.38.

The CD's and sweep accounts are showing a better interest rate and so money has been moved over.

Interest earned for the full year is \$19,49.38.

No delinquent taxes for 2018 so no tax deed's this year.

Delinquent taxes for 2019 equal \$24,255.88.

Delinquent taxes for 2020 equal \$51,401.66.

Delinquent taxes for 2021 first half equal \$91,817.44.

Blake Morgan request on county right of way south of Malad City. A proper description of the land that has been discussed in the past, can not be obtained in the Assessor's office and a survey will need to be done. Commissioner Lewis has concerns that the McBride property may need this road to access their property. He wanted to do some more investigation before moving forward.

The Assessor presented the renewal packet for the ESRI subscription that is used in the mapping portion of her office.

Commissioner Eliason made the motion to approve the renewal of the ESRI Mapping service.

Commissioner Christophersen seconded. All commissioners approved and the motion carried.

Balazs property line agreement with the county.

The Assessor reported that she found deeds back to 1904 showing the boundary line for the property now owned by the Balazs family. The land in question is .7 acres which is not adequate to build on per county code. the recommendation was to sign a quit claim deed correcting the discrepancy in the boundary lines and to further give control to the remaining sliver of ground to the Balazs's.

Assessor report- Their office is still processing a lot of deeds. The locks on her door are not functioning easily and there are spots in the carpet that are pulling up and causing tripping hazards.

The locks will be taken care of in the coming week.

Elevator bid- Commissioner Lewis reported that the elevator bids are due on the 23rd and the clerk was reminded that the meeting will need to be posted.

The development code change – Ordinance 2022-02-01 was presented for review. This ordinance made changes to the minor subdivision section of the code and made it a requirement to provide a legal description for all properties involved in a land split.



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10 COURT STREET, MALAD, IDAHO 83252

Commissioner Lewis made the motion to approve Ordinance 2022-02-01 making changes to the Oneida County Development Code.

Commissioner Christophersen seconded. All commissioners approved and the motion carried.

Commissioner Lewis made the motion to move into an executive session per Idaho Code 74-206 (1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

Commissioner Christophersen seconded. A roll call vote was taken

Commissioner Christophersen. Aye

Commissioner Lewis. Aye

Commissioner Eliason. Aye

The executive session was vacated and open meeting reconvened.

Commissioner Lewis made the motion to temporarily suspend any permits issued to Zeldon Nelson in Malta Idaho until next meeting.

Commissioner Eliason seconded. All commissioner approved and the motion carried.

The meeting was adjourned.

A handwritten signature in cursive script, appearing to read "Bill Lewis".

Bill Lewis, Chairman

A handwritten signature in cursive script, appearing to read "Matthew L. Colton".

Matthew L. Colton, Clerk