



ONEIDA COUNTY COMMISSIONERS

Bill Lewis, Chairman – Ken Eliason – Brian Jeppsen

459 South Main St, Malad, ID 83252

Commissioner's Meeting

26 DECEMBER 2023 1:00PM – 5:00PM *RECORDING 21134-35*

IN ATTENDANCE: County Commissioners Bill Lewis, Brian Jeppsen, and Ken Eliason

Commissioner Brian Jeppsen opened the meeting by leading all in the Pledge of Allegiance and offering a prayer.

Commissioner Lewis motioned to add "SHSP Grant" to the agenda (for discussion only). Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Commissioner Lewis motioned to add "Title 74 – Transparent and Ethical Government Idaho Code 74-206-1B in an Executive Session to the agenda. Seconded by Commissioner Eliason. All ayes. Motion carried.

Discussion regarding the Resource Officer Compensation. Clerk Colton presented a spreadsheet with overtime wages information to help the Commissioners determine an appropriate amount to charge the school district to cover Sheriff's office presence during school hours and at after school hours activities. Discussion to include in the contract the use of county equipment, PERSI, overtime wages, etc. similar to the contract the Sheriff's office has with the Boat Check Station. It was suggested to add a clause to the existing agreement that the overtime hours would not exceed the amount that would require double-time pay. A second suggestion was to adjust the rate from \$40 per hour to \$50 per hour for contract services.

Commissioner Eliason made a motion to go with having the Resource Officers in the schools at the \$50 hourly rate payable to the county and that officers were not to exceed hours that would require double-time pay. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Gary Capps of Utah has owned property in Oneida County (5745 W 2500 N, Malad, ID // 10 14S 35E) for the past 2 years. The property does not have a home on it and has no garbage cans, but he was recently charged a solid waste fee and petitions the commissioners for approval to have the charge removed.

Commissioner Eliason motioned to forgive the solid waste fee on parcel RP0234004A for Gary and Karen Capps. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Dianna Dredge with Road and Bridge presented the Commissioners with a used 2018 307-Excavator with 519 hours on it. It comes with a 1 year/500 hours warranty that covers hydraulic, powertrain, and technician (if brought to the shop for service). Ms. Dredge said that this excavator is "as heavy as you can go and still be able to use the low-boy trailer" (which is able to be pulled with a regular truck). The excavator has steel tracks and would make the work with culverts easier and faster. A phone call with Jim Betty at Western States confirmed the warranty inclusions and that it would be activated on delivery of the excavator.

Commissioner Jeppsen motioned to approve the purchase of the 2018 Caterpillar 307E2 Excavator for \$58,540 to include the warranty that would be activated on delivery. Seconded by Commissioner Eliason. All ayes. Motion carried.

A 3-way stop sign was requested by Neil Mateski at the corner near his home (2000 N 3400 W, Malad, ID). He described this area as having a stop sign heading East and a yield sign for the other direction. Mr. Mateski said the stop sign is largely ignored and that people travel the road at high rates of speed in cars and even trucks pulling large trailers. Mr. Mateski feels that a 3-way stop sign would help make the corner safer. Dianna Dredge with Road & Bridge explained that they had already put up a flashing stop sign, a "stop ahead" warning light, and cut back some branches for better visibility. She said that R&B cannot put up signs to control traffic, or without a controlled study done in collaboration with the road engineer, Steve Freiburger. If you do not follow the correct process, anyone ticketed would be able to fight the ticket. Ms. Dredge also pointed out that putting in more stop signs makes the issue more of an enforcement issue since people may still ignore the signage. No decision was made, but it was suggested doing a controlled study in the spring (once the weather is better and the snow plows would not ruin the equipment needed for the study).

Cody Clyde with the Weed Department needs signatures and approval for shipping insurance for the Hyllo drone that was recently approved. Mr. Clyde and Lisa Baker have reviewed most of the document, as has interim Prosecuting Attorney Vic Pearson who stated it appeared to be a "stock" contract.

Commissioner Jeppsen motioned to sign the Designation and Authorization of Representative for UAS (Unmanned Aerial System) Licensing form for the Hyllo drone to support the licensing agreement. Seconded by Commissioner Eliason. All ayes. Motion carried.

Commissioner Eliason motioned to sign the Summary of Purchase for the AG216 Drone RTF with all components and miscellaneous equipment. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

The Airport would like to add an amendment to the Airport Hanger Lease Agreement to avoid the costly and time-consuming issue of gravel being spread outside the hangers and

leading to the taxi-way. If gravel gets on the specified areas during snow removal, lessee pays the airport \$300/hour for cleanup.

Commissioner Lewis motioned to accept the amendment to the Airport Lease Agreement section 12.2 dated 12/5/2023. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

The Findings of Facts regarding case #23-0016 (Neilson's / Church of Jesus Christ and the Kingdom of God) regarding the application to re-zone their 120-acre property. The document was presented for approval after commissioner questions were answered since the last commissioner meeting. The Finding of Facts document summarizes the process and the meetings associated with case #23-0016.

Commissioner Eliason motioned to accept the Findings of Fact for case #23-0016. Seconded by Commissioner Lewis. All ayes. Motion carried.

The Disaster Preparedness Grant was discussed. Commissioner Jeppsen spoke with Dan Williams and SECOG. They are still looking for someone to write the grant to replace the culverts using the grant money. The deadline to apply is 1/15/2024. Road and Bridge's Dianna Dredge shared concerns that the costs to pay someone to write the grant (approximately \$10,000) and possible engineering costs (if required for receiving federal money) may not be worth the cost for replacing the culverts. Commissioner Jeppsen will follow up with Dan Williams, Road & Bridge Lisa Baker, and grant writer Jean Thomas to see how best to facilitate the process.

Commissioner Eliason motioned to support applying for the Disaster Preparedness Grant by the January 15, 2024 deadline. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Two parties, Brett & April Allen and Jackson LeFevre, requested Tax Exemption for property taxes because of House bill 389's proration language.

Commissioner Jeppsen motioned to cancel taxes for Brett & April Allen, RP002400 at 208 W 200 N, Malad, ID in the amount of \$39.37. Commissioner Lewis seconded. All ayes. Motion carried.

Commissioner Eliason motioned to cancel taxes for Jackson LeFevre, RP0014200 in the amount of \$64.31. Commissioner Jeppsen seconded. All ayes. Motion carried.

The Annual Overweight 129,000-pound Permits for Hess Pumice from Malad to Wrights Creek were discussed.

Commissioner Eliason motioned to renew the Annual Overweight 129,000-pound permit numbers 1-5 for Hess Pumice going from Malad to Wrights Creek. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

The Annual Road & Street Financial Report was reviewed. Commissioner Eliason motioned to accept the Annual Road & Street Financial Report for Oneida County. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

The Life Flight Group Program offered to employees was discussed. When this optional coverage was first offered to county employees, the price was \$59 and uses a service out of Burley. Rates have increased since then to about \$75 per household. The Ambulance is not renewing with them because they have not utilized the service as much lately. Logan (Cache County, UT) is also implementing a similar program that would offer Oneida County employees a quicker trip. Another struggle with the existing group program is that there is no coverage if someone is taken to a non-participating location/provider. This discussion will be brought up again prior to the policy renewal due date in February 2024.

The proposed Commissioner Meeting calendar dates were discussed and changes were made to accommodate holidays and trainings. Commissioner Jeppsen motioned to approve the calendar dates as printed, but with 4 amendments (updated dates indicated on the list below with an asterisk). Seconded by Commissioner Eliason. All ayes. Motion carried.

**Commissioner meetings are held on the
2nd and 4th Mondays each month,
with 4 amendments to accommodate holidays and training*.**

January 8	April 8	July 8	October 15*
January 22	April 22	July 22	October 28
February 12	May 13	August 12	November 12*
February 26	May 28*	August 26	November 25
March 11	June 10	September 9	December 9
March 25	June 24	September 30*	December 23

The Annual Vessel Fund Report Resolution are funds from the state earmarked for anything to do with waterways (except for privately owned reservoirs) and are collected from things such as boat stickers. Discussion centered around the best way to allocate the \$17,319 available to Oneida County. Discussion will continue at the next commissioner meeting.

The desire to adopt a Records Retention Resolution was discussed in a previous commissioner meeting. Today, a resolution was presented to the commissioners.

Commissioner Eliason motioned to adopt the Records Retention Schedule as Resolution 2023-12-01. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Clerk Lon Colton submitted a resolution to open the FY 2023 budget to amend budgets that had gone over. Idaho code makes accommodation for adjusting a budget when the need

arises (i.e. when a department goes over budget for a valid reason). He listed the departments that had gone over and the reason why.

Commissioner Eliason motioned to accept Resolution 2023-12-02 to amend the FY 2023 budget in order to close it out. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Clerk Colton submitted a second resolution requesting the use of PILT funds the county knew it would be using for the Justice Fund – Fair Board to help funds with cash shortages in their 2023 budget.

Commissioner Jeppsen motioned to approve Resolution 2023-12-03 as a resolution of the board of county commissioners in the state of Idaho to transfer PILT money into FY 2023 funds with cash shortages. Seconded by Commissioner Eliason. All ayes. Motion carried.

Commissioner Eliason presented new fair board member names to replace Patrick Werk and Kacey Keller. Several names were presented in a previous meeting and Commissioner Eliason was given the action item to speak with those on the approved list of names.

Commissioner Eliason motioned to accept Hugo Ramos as a replacement for Fair Board Member Patrick Werk and Shanae Blaisdell as the replacement for Fair Board Member Kacey Keller. Commissioner Jeppsen seconded the motion. All ayes. Motion carried.

The possibility of having the county in charge of a cemetery in Juniper was discussed. Concerns about what that responsibility would entail (management, hiring a sextant, etc.). Most cemeteries are set up as cemetery districts and are not managed through the county. Discussed rules and other things that would need to be done in accordance with Idaho Code 27.105. Discussion tabled for a future date.

Fuller & Fuller Prosecuting Agreement was reviewed. A provision where the PA would have an office in Oneida County was discussed. Commissioners amended the retention of files being with Oneida County, not with Fuller & Fuller. Commissioners also amending the section that discussed compensation above the contracted amount, such as in the event of a capital (murder) case. The amendment would allow Fuller & Fuller to approach the Board of Commissioners to determine if additional compensation would be appropriate. There is also a slight wage difference from the previous PA salary in order to compensate Fuller & Fuller for travel (an average of 5 trips per month to Oneida County from Franklin County).

Interim Prosecuting Attorney Vic Pearson reminded the board that the filing deadline for someone to run for the elected office of Prosecuting Attorney is in March. If someone files and is elected, they will replace Fuller & Fuller after their contract ends on 12/31/2024.

Commissioner Eliason motioned to accept the Legal Services Agreement with Fuller & Fuller from 1/1/2024 – 12/31/2024, with the amendments regarding the retention of files and additional compensation. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Clerk Colton was tasked with contacting Ben Naylor for a date to reschedule the public hearing for sometime in February (the 8th or the 15th). Once Ben responds with a date, a notice will be placed in the newspaper in accordance with Idaho Code (15-day notice).

Commissioner Lewis shared information about a forensic lab in Bannock County that they are building using ARPA funds at a lower cost than was originally given (\$3.5 million vs \$7 - \$9 million). If a bid comes in under \$4 million, Bannock County will ask neighboring counties to help cover some of the remaining cost. Bannock County is also proposing a "subscription model" that starts out at the same price as Ada County in 2024 and ramps up the cost by 10% each year following.

In Oneida County we have utilized the lab in Ada County for autopsies in 3 of the last 5 years. Coroner Brad Horsley does not want to cost Oneida County more money, and will support whatever the commissioners decide. Mr. Horsley is not opposed to continue traveling to Ada County. Prosecuting Attorney Vic Pearson questioned whether Ada County would renew a contract with Oneida County if we tried the Bannock County subscription model for a year and then wanted to return to Ada County. Mr. Pearson also advised the commissioners to consider other expenses associated with autopsies in Boise (will officers need to travel with the coroner which increases the cost for food, travel, lodging, etc.). This topic will be discussed in future commissioner meetings.

The courthouse recently completed the installation of an elevator in an effort to become ADA compliant. To further this, the counters in the courthouse offices are being replaced with ADA compliant counters. There was a brief discussion on what to do with the old counters such as using Public Surplus or having an auction and doing sealed bids were all determined to be appropriate options.

Commissioner Lewis motioned that Clerk Lon Colton come up with a bidding process for the surplus counters and move forward with arrangements. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Ameriben and Northwest Data Exchange agreements were discussed at the last commissioner meeting and it was decided to move forward with them.

Commissioner Lewis motioned to sign the membership agreement for Ameriben. Seconded by Commissioner Eliason. All ayes. Motion carried.

Commissioner Lewis motioned to sign the membership agreement for the Northwest Data Exchange and pay the \$2,500 fee. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Follow up discussion of the SHSP grant for the Event Center generator. Concerns about the looming deadline on 1/15/24. Commissioners discussed the possibility of needing a "Plan B." Doug Moyle with D&T Electric said that a comparable generator under a different brand

(possibly Cummins) could be here quite quickly. Commissioners would like Tory Richardson to get an official bid from Mr. Moyle.

Regular meeting adjourned and Commissioner Lewis motioned to open an Executive Session per Idaho Code 74-206-1B*. Seconded by Commissioner Eliason. Roll Call: Ayes from Bill Lewis, Brian Jeppsen, and Ken Eliason. Motion carried.

***TITLE 74**

TRANSPARENT AND ETHICAL GOVERNMENT

**CHAPTER 2
OPEN MEETINGS LAW**

74-206. EXECUTIVE SESSIONS -- WHEN AUTHORIZED. [EFFECTIVE UNTIL JULY 1, 2020] (1) An executive session at which members of the public are excluded may be held, but only for the purposes and only in the manner set forth in this section. The motion to go into executive session shall identify the specific subsections of this section that authorize the executive session. There shall be a roll call vote on the motion and the vote shall be recorded in the minutes. An executive session shall be authorized by a two-thirds (2/3) vote of the governing body. An executive session may be held:

(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student;

*** Regular Meeting adjourned at 5:00 pm***



Bill Lewis, Chairman



Shanci Dorius, Deputy Clerk