



ONEIDA COUNTY COMMISSIONERS

Bill Lewis, Chairman – Ken Eliason – Brian Jeppsen

459 South Main St, Malad, ID 83252

Commissioner's Meeting – Executive Session

13 MAY 2024 1:00 PM

* RECORDING# 240513-0059*

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

Pledge and Prayer were led by Commissioner Jeppsen.

Commissioner Jeppsen motioned to accept the consent agenda, which includes the payment of claims and minutes from the 4/22 commissioner meeting. Seconded by Commissioner Eliason. All ayes. Motion carried.

The Idaho Enterprise publishes the "Welcome to Malad" special issue and requests commissioner approval for the map being included in the publication and the \$350 cost. The board advised the Enterprise to visit with the County Assessor's office to note any street name changes that may have occurred since the last printing.

Commissioner Jeppsen motioned to accept the map presented by The Enterprise Newspaper to be included in the "Welcome to Malad" publication for \$350. Seconded by Commissioner Eliason. All ayes. Motion carried.

The quarterly Treasurer/Auditor report was shared with the Board of Commissioners by Treasurer Leigh Love. Since the beginning of the fiscal year on October 1, the county has had \$175,000 coming in through careful management of investment funds.

Commissioner Eliason motioned to accept the Treasurer/Auditor Quarterly Report. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

The Soil & Water District requests a financial commitment from Oneida County for next spring. Recent and upcoming activities have included most of the county's elementary aged children, the boat check station is doing well, and plans for more activities and helps are in process.

Commissioner Eliason motioned to approve a letter of support for the Soil and Water Conservation District in the amount of \$15,000 for the 2025 fiscal year budget. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Discussion regarding the communication infrastructure in Malad was had between three interested/involved parties: BLM Realty Specialist Danny Miller, Racoon Radio Club President Bill Drury, and GMRS user Brent Burk. Background and history on the buildings housing the radio equipment was given by Mr. Miller. Currently several parties are in the same building, but for safety and security reasons unofficial party's will need to find a new place to house their equipment. Mr. Miller stated that there is the old BLM building on the site that is currently unused. The proposal is to repurpose that building for the radio club. Mr. Miller contacted the owner's about using the building and a donation of the building to Oneida County was proposed and approved contingent upon acceptance by Oneida County.

Commissioner Jeppsen motioned to submit the application for transportation utility systems, telecommunications, and facilities on federal lands and property. Seconded by Commissioner Eliason. All ayes. Motion carried.

Oneida County has a weed spraying contract with the BLM that expires 7/14/2025. The county has one year to use the funds associated with this contract. County weed agent Cody Clyde has questions, such as being able to contract with other sprayers under the terms of the contract and alternative forms of spraying. Two resources that were recommended are Candace Rudie and Geoff Phelan with the BLM.

A fence around the furnace and generator at the Event Center requires an amendment to the previously approved amount of \$2,150 in order to install a second gate, raising the cost by \$350 for a total of \$2,500. The second gate allows better and safer access to the generator.

Commissioner Jeppsen motioned to amend the original bid to Coatney Fence to \$2,500 to include a second gate for the fence around the generator and HVAC system at the event center, to be paid out of one-time expenses. Seconded by Commissioner Eliason. All ayes. Motion carried.

P&Z Administrator came before the Board of County Commissioners with a proposal on how to streamline scheduling future public hearings that would expedite the public hearing process between Planning & Zoning and the Board of County Commissioners. There are back-to-back amendments to clarify the language of the development code coming up, which is more than the anticipated goal of only making changes every six months at a minimum.

Commissioner Lewis made a motion that after the Planning & Zoning hearing, the complete packet be forwarded to the Clerk's office for review by the Board of County Commissioners and to move forward with the Board of County Commissioners scheduling the hearing as soon as Idaho Code will allow (at the next available scheduled commissioner meeting). Seconded by Commissioner Eliason. All ayes. Motion carried.

The commissioners discussed availability for upcoming public hearings, where each are available to attend. Additionally, the public hearings for the Randy Gamble Rezone and Airport Overlay District scheduled for May 28 were moved to June 10 in order to satisfy the required fifteen-day notice in the newspaper, per Idaho Code 67-8206 (3) and allow for a hearing on the development code amendments that may provide a solution for Mr. Gamble.

Commissioner Lewis motioned to move the Randy Gamble Rezone and Airport Overlay public hearings with the Board of County Commissioners from May 28 to June 10. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Planning & Zoning Administrator Rhonda Neal submits her FFCL (Findings of Fact, Conclusion of Law) report to the Board of Commissioners, it can be added to the next commissioner meeting where they can make a recommended motion to approve things as findings, according to Legal Counsel Lyle Fuller.

Mrs. Neal also shared a report for Planning & Zoning regarding land use actions.

- 2 minor subdivisions before her that may require minor items to address on their plats. The minor subdivisions are an administrative process, and do not need to go before the P&Z commission unless there are public concerns. Once they are good to go, they are brought before the Chairman of the Board of County Commissioners for a signature.
- Large Subdivision – 1 on hold waiting for information
- Conditional Use Permits - 5
- Rezones – 6
- Parcel land splits – 15
- Numerous violations of the development code

Planning & Zoning presented information about House Bill 608, where farmers can request their land remain agriculture for twenty years. With HB608 being passed, Mrs. Neal suggested the possibility of another chapter being added to the development code to accommodate HB608. Additionally two members of the P&Z commission may be put in charge of a body that shall include representatives with various agricultural backgrounds. Idaho Code 67-9705 states that a board be in place by January 1, 2025 by establishing a resolution or ordinance needs to be in place and a board in place.

The Planning & Zoning Administrator lastly spoke about a water study packet addresses concerns about water and development. Proposal to do a county wide water study be performed which would take 6 months to complete and cost \$75,000. It would be a tool to see what areas would support development. Legal counsel Lyle Fuller stated that grants may be available to do water studies.

The trees at the Event Center have a drip system in place for the trees, installed by Vincent Bennett. He also did labor for the start-up, a sprinkler check, cleaned out wells, added new mulch, and trees were trimmed/straightened.

Commissioner Lewis motioned to execute the Bennett Landscaping & Tree Care for the trimming, maintenance, mulch, and the sprinkler/drip check on the fair building and the trees planted at the fair grounds for a total of \$370. Seconded by Commissioner Eliason. All ayes. Motion carried.

Property tax exemption applications were received and presented to the board of county commissioners for approval. This does not include a homeowners exemption. Title 63 chapter 6 must be approved annually by the board of commissioners through a timely application process.

Commissioner Jeppsen motioned to approve the application of property tax exemption status to the Oneida County Crisis Center for tax year 2025. Seconded by Commissioner Eliason. All ayes. Motion carried.

Commissioner Eliason motioned to approve the tax exemption status for the five buildings (one near the elementary, one west of town, one by the park, the seminary, and one in Holbrook) owned by The Church of Jesus Christ of Latter-Day Saints for the year 2025, parcel numbers 0046400, 0046502, 0047001, 0066523, 0066525, 0086701, 0087301, 0098202, 0147601. Seconded by Commissioner Eliason. All ayes. Motion carried. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Commissioner Jeppsen motioned to grant tax exemption status to American Legion post 65, parcel number RP0005201. Seconded by Commissioner Eliason. All ayes. Motion carried.

Commissioner Eliason motioned to grant tax exemption status to Malad Masons Lodge #51, parcel number RP0002801. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Commissioner Eliason motioned to grant tax exemption status for the Idaho County Relic Preservation and Historical Society Museum, parcel number RP0000100. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Commissioner Jeppsen motioned to grant tax exemption status to Malad Valley Heritage Square (Samaria Community Foundation), parcel number RP0256802A. Seconded by Commissioner Eliason. All ayes. Motion carried.

Commissioner Eliason motioned to grant tax exemption status for the St. Paul Mission and parking lot, parcel numbers RP0094502 and RP0317408. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Commissioner Jeppsen motioned to grant tax exemption status to Malad Valley Theater Guild, parcel number RP0008800. Seconded by Commissioner Eliason. All ayes. Motion carried.

Commissioner Lewis motioned to grant tax exemption status for the Victory Baptist Church, parcel number RP0084500 A and RP0322500 and to First United Presbyterian Church of Malad RP0005601 contingent upon receiving the tax exemption application (short form) by May 15, 2024. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Comp time pay out request was received from a county employee who is scheduled to be deployed later this year and would prefer to use his comp time hours at that time.

Commissioner Lewis motioned to not pay out comp time hours for Luke Zitting until he is deployed with the National Guard later this year. Seconded by Commissioner Eliason. All ayes. Motion carried.

Commissioners also discussed the county employees who are over the limit on their comp time hours. Department heads will visit with those employees in order to get their hours back to where they need to be.

The county vehicle policy was discussed with regards to coverage for passengers (liability for family members, people from other counties, youth involved in county extension programs, vehicles being taken home, mobile device use, filling out the milage form, etc. Occasionally, County Extension Agent Sawyer Fannesbeck carpools with neighboring county extension agents, which is an exemption to non-county employee persons. Commissioner Lewis clarified with ICRMP, who will cover physical damage and liability insurance to those Oneida County authorizes to drive county vehicles.

Commissioner Lewis motioned to allow extension agent to carpool with other counties and to allow other county agents to carpool with Oneida County's Extension Agent. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

The county drug testing and background check policies were addressed. All full or part time employees are subject to a drug test. Any employee working with PII (Personally Identifiable Information) are subject to a background check.

Katie Leavitt provided first responder counseling in 2023. When her contract with Oneida County ended in December 2023, she continued seeing clients through February 2024. Commissioner Lewis spoke with Ms. Leavitt about the remaining balance of her contract and it was suggested the county not request a refund from her and appreciate the excellent service she provided (93 total sessions for the year).

Commissioner Lewis motioned to consider the counseling contract with Katie Leavitt for services in 2023-2024 as fulfilled. Seconded by Commissioner Eliason. All ayes. Motion carried.

Discussion about public defender and first appearances. Clerk Lon Colton spoke with the judge who said that if someone is in custody, there is a public defender present in the event the person wishes to have counsel when having a bond set, etc. Essentially, a public defender is there when the court is aware that there will be a need, not necessarily there all the time.

Depot Road alignment project to minimize the s-curve will assist with the expected higher traffic that will be diverted during the upcoming Bannock Street construction project. The alignment project will happen during August – September 2024 and the overlay will be completed in the spring of 2025. The

estimated cost is \$93,775.11, which includes the in-kind trades such as gravel being put in front of a grain bin and a couple of approaches to property being allowed.

Commissioner Eliason motioned to approve the Depot Road alignment project in the amount of \$93,775.11 to be paid using PILT funds. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

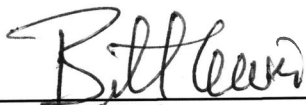
Veteran Service Officer (VSO) hours and expenses were reviewed. The VSO position is budgeted for seven hours per week, but in the effort to get filing, digitizing information, and other tasks caught up, the hours have been 15-20 hours per week. Options for helping included amortizing his hours, cutting back hours, or approving more hours in the upcoming budget sessions. Discussion will continue after more info is gathered.

The Tax Commission notified county clerks offices of a judgement for Lumen Technologies for overcharging. Oneida County's impact is low since we do not have a lot with them, and the refund for taxes is only \$68.02.

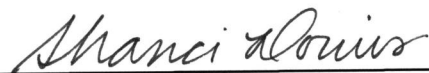
Commissioner Lewis motioned to authorize a property tax refund to Lumen in the amount of \$68.02 to be paid with contingency funds. Seconded by Commissioner Eliason. All ayes. Motion carried.

Commissioner Eliason motioned to adjourn the meeting. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

***** Meeting adjourned by 5:30 pm*****



Bill Lewis, Chairman



Shanci Dorius, Deputy Clerk