



ONEIDA COUNTY COMMISSIONERS

Bill Lewis, Chairman – Ken Eliason – Brian Jeppsen

459 South Main St, Malad, ID 83252

Commissioner's Meeting

24 JUNE 2024

9:00 AM BUDGET SESSION

1:00 PM MEETING

* RECORDING #240616-0068 *

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

Budget session included Planning & Zoning, Probation, Treasurer, Weed, Extension Veterans Service, Road & Bridge, Coroner, Assessor, Sheriff, Ambulance, and Parks & Recreation.

The regular meeting was opened by Commissioner Lewis, and the pledge and prayer were led by Commissioner Jeppsen.

Commissioner Eliason motioned to accept the consent agenda as presented, which includes the payment of claims, certificate of residency, and approval of meeting minutes. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Sheriff Arne Jones stated that most of Oneida County's equipment is more than seven years old, is worn out and at "end-of-life" which means things are unsupported when they break down. Sean O'Grady was invited by the Sheriff's office to give a presentation on LensLock, a security company that offers integrated platforms with an annual fee that can be locked in with a 5-year contract. Contract includes redaction, best in-class customer service, unlimited data plan and the ability to identify data by type, legacy data support, attorney's office can access, add, share based on need, body worn cameras and in-car solutions such as dash cam, rear seat camera, MDVR (a sensor that auto-records), night vision (infrared), automatic uploads to the system when the deputy returns to the station, and upgraded equipment is provided whenever new versions are released. LensLock also offers a mobile app for officers to do in-field reviews and tagging/adding meta-data in real time instead of needing

to wait until the end of their shift (note: they cannot edit the video, they can only tag/add metadata for identification and reporting purposes). Legacy Data is a feature that allows LensLock to add all previous data at no extra cost. Data management and storage is secure and is Federal Bureau of Investigation (FBI) and Criminal Justice Information Services (CJIS) compliant. LensLock offers cloud-based storage and in nine years of services they have had zero security breaches and a 100% client retention rate.

Legislature just increased the ceiling on when something needs to be bid. Bids for ADA desks and non-ADA desks with cabinets in the Sheriff's office were reviewed.

Commissioner Jeppsen motioned to accept the bid from Arrowhead Cabinets for ADA compliant cabinets and desks in the sheriff's office with a wood top for \$7,466.90 to be paid out of one-time funds. Seconded by Commissioner Eliason. All ayes. Motion carried.

Deputy Sheriff Doug Williams reported that his previous request for body bags using Opioid funds does not qualify. Deputy Sheriff Williams also stated that he had utilized Oneida County's new Opioid Funds Request form on items approved in an earlier commissioner meeting.

Due to requirements for utilizing Opioid funds within the county, it was suggested that a four-person Opioid Committee be formed with members coming from the attorney's office, sheriff's office, EMT/Ambulance, and someone from the County Clerk's office.

Commissioner Lewis motioned to form an Opioid Settlement Committee with members from the Sheriff, Clerk, EMT/Ambulance, and Attorney's offices. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Probation officer Gabe Jimenez presented the annual Memorandum of Understanding (MOU) contract with the Community Based Alternative Services (CBAS) and Substance Use Disorder (SUDS) Juvenile Justice programs. This contract includes counseling services, polygraphs, and more.

Commissioner Eliason motioned to accept the memorandum of understanding to support the Community Based Alternative Services & Substance Use Disorder programs. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Loren Ward with SmartServ shared information about the services the company offers in the information technology field such as around-the-clock support, website hosting, and website management. Mr. Ward answered questions from the sheriff's department about the company's ability to be licensed and certified to access highly secure spaces in the sheriff's office. Mr. Ward stated the company adheres to Health Insurance Portability and Accountability Act (HIPAA) compliance rules.

Hess Pumice discussed a recent issue with being ticketed by Idaho State Police (ISP) and the Department of Transportation (DOT) for the 129,000-pound trucks they have on designated Oneida County roads (often referred to as 129's). The info has now been sent to the state, who will add the designated roads to the state map of approved freight roads.

Hess Pumice would like the board of county commissioners to adopt a freight plan. This has been discussed previously by Molly Besar, the Executive Director of the Four County Alliance of Southeast Idaho, as she regularly finds and applies for grants to help counties through the Local Highway Technical Assistance Council (LHTAC). Mr. Mike Hess, Senior of Hess Pumice stated that Oneida County was the only county in the state to not adopt a Freight Plan when the pilot program ended and as a result, the county may have missed out on a significant amount of funds over the past ten years.

Noxious weeds were discussed by County Weed Supervisor Cody Clyde and community member Bruce Hubbard. The county requires private land owners to take care of noxious weeds and Mr. Hubbard states there is a significant amount of land that is covered in noxious weeds.

The BLM is upset that Mr. Clyde hired a private contractor to do spraying on BLM land. In future, Mr. Clyde will switch the roles and have the contractor spray locally while Mr. Clyde does the BLM land. The budget for contract spraying is only \$5,000 and Mr. Clyde asked the commission for permission to go over that budget amount. The commissioners agreed to consider the request if Mr. Clyde could provide an estimate of what that would look like and to find out if the BLM would reimburse the county. Mr. Clyde also expressed concern that the ability to spray BLM land by helicopter is limited until August, when things have already grown and gone to seed.

Commissioner Lewis motioned to allow overspending on the budget line item for contract spraying by \$5,000 for a total amount of \$10,000. Seconded by Commissioner Eliason. All ayes. Motion carried.

Cattleguards in the county need repair and upkeep. Road & Bridge Supervisor Dianna Dredge asked if the county had a policy in place regarding the cattleguards. Currently, the party who wishes to have one can have a cattleguard permitted and installed at their cost with the caveat that the county has the option to remove them if not done properly, according to the 2021 County Road Standard. Ms. Dredge requests clarification on the County Road Standard.

Mr. Hess, as an aside to an earlier topic on the agenda, mentioned that Hess Pumice is paying nearly \$500,000 to fix the railroad crossing on Highway 38. If they can get things signed by Wednesday, he believes they can fast-track the project.

Commissioner Jeppsen motioned to sign the Idaho Transportation Department Agreement # 10186 which involves approval for the railroad crossing at highway 38 to be replaced and allow for a detour around that section for new construction coming up. Seconded by Commissioner Eliason. All ayes. Motion carried.

The Woodruff railroad crossing # 806567J needs to be fixed. Ms. Dredge reported that a county commissioner would need to make the request, as there have been multiple requests made by others without success. The railroad contact information was provided to Commissioner Lewis.

Dianna Dredge with Road & Bridge requested an increase of pay from \$15.00 to \$16.50 for part-time / seasonal employees due to the struggle the department has had in hiring because of the lower wage.

The Road and Bridge provided copies of a capital improvement plan for commissioners to review.

The Forest Service has offered to extend an agreement regarding Deep Creek Reservoir. Renewing the permit issued to Oneida County for the existing amenities includes provision for floating boat dock, two vault toilets, site information board in the parking area, and the annual use fees will continue to be waived to support public & recreationalist activities. Idaho Department of Fish & Game coordinate the continued maintenance of the facilities by the Idaho Fish & Game as a public resource for recreationalists, who will continue to maintain the facilities. The county's role is to keep the road open for fishing in the winter. The issue is that the road near Deep Creek Reservoir does not take precedence after a winter storm.

The BLM Telecommunications Building no-fee lease was discussed. Attorney Lyle Fuller had questions regarding indemnification on the twenty-year BLM lease. Usually, Mr. Fuller would have the indemnifications stricken from an agreement. Multiple voicemails requesting modification of some of the language in the agreement have been left for Danny Miller with the BLM with no response as of the time of the meeting. This will be discussed when more information is received.

Lyle Fuller of Fuller & Fuller explained the difference between a reasoned statement and a findings of fact, conclusion of law statement from the Board of County Commissioners, who signed off on the recently approved development code amendments (a synopsis was printed in the Idaho Enterprise on 6/20/2024).

Toni Werk with the Presbyterian Church has contacted the State Attorney's office and is coming before the board of commissioners to request a tax exemption status for the house next to the church. A pastor is not living there, but the home is being lived in and the money collected is used as tithes to support the church. The family living in the home also offsets costs by doing projects around the home. Ms. Werk referenced Title 63 where it states a tax exemption "includes any/all residences used for such purposes..." saying the current use of the house seems to fit allowable exemptions.

Commissioner Lewis stated his concern that a recent Board of Equalization training discussed Idaho Tax Law and Commissioner Lewis understood from that training that if a building is rented out, it does not qualify. Attorney Lyle Fuller cited a 1993 Supreme Court case (LDS Church vs. Ada County) where it was determined that the taxpayer has the burden of proof to show their property fits the exemption status (Idaho Code 63-602 subsections B and C). Section B is broader, but section C uses the word "leased," so the exemption may not apply. More information is needed.

A solar and wind moratorium was discussed, using information from neighboring Franklin County as reference. Attorney Lyle Fuller cautioned that in order for a moratorium to be valid, per Idaho Code 67:65:23 there must be imminent peril to the health, safety, and welfare [of residents] in order for a 180-day moratorium to be upheld. Questions were asked:

- Is there imminent peril?
- Is there anything in the development code for large scale? Would it fit with a comprehensive plan?

Mr. Fuller indicated a 180-day moratorium might be put in place in orders to make an amendment to the development code. Solar and Wind farms do not meet conditional use requirements in the current development code.

Jared Lusk, owner and construction manager of Construction Services, Inc. has bid for the contract for the courtroom ADA compliance remodel project, which will be paid with one-time funds. In part, the project includes an ADA compliant clerks window for the courts, a secure hallway and areas for the elevator, judge, and jury. The remodel project will begin at the end of July and is estimated to be complete within 90-days.

Commissioner Jeppsen motioned to accept the bid from Contract Services in the amount of \$318,786 for construction and remodel of an ADA compliant courtroom. Seconded by Commissioner Eliason. All ayes. Motion carried.

Veterans Service Officer (VSO) office equipment was discussed. Commissioner Jeppsen contacted the Pocatello Veterans Service Officer to see if the desired laptop met the specified requirements from the Information Technology department there (it did). Commissioner Jeppsen suggested approval of the purchase of (and a limit to the cost) a laptop and a printer/scanner that has been previously discussed.

Commissioner Lewis motioned to use contingency funds to provide the Veterans Service Officer a printer/scanner and a computer at a cost not to exceed \$1,250. Seconded by Commissioner Eliason. All ayes. Motion carried.

Adding a budget line for the Veterans Service Officer for upcoming training was discussed.

Commissioner Lewis motioned to approve training for the Veterans Service Officer of up to \$850. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

The Kroger Opioid Settlement opt-in was discussed previously and County Clerk Lon Colton requested the ability to sign on behalf of the commissioners if the document required an electronic signature.

Commissioner Jeppsen motioned to allow County Clerk Lon Colton to electronically sign the Kroger Opioid Settlement Agreement on behalf of the Board of Commissioners. Seconded by Commissioner Eliason. All ayes. Motion carried.

A sealed bid process was posted in order to obtain bids for a propane contract. Two bids were received prior to the deadline and were opened in the board of commissioner meeting. The first bid was from LP Propane out of Blackfoot, Idaho. The per gallon bid was \$1.729. The second bid was from Valley Wide in Preston, Idaho and the per gallon bid was \$1.549 for the July 1, 2024 – June 30, 2025 period of time. Valley Wide's bid indicated this would include no fees (including delivery fees), and an annual safety check on county propane tanks at no charge.

Commissioner Eliason motioned to accept the Valley Wide bid for the 12-month propane contract in the amount of \$1.549 for the period 7/1/2024 -6/30/2025. Seconded by Commissioner Jeppsen. All ayes. Motion carried.

Searle, Hart and Associates sent an engagement letter for auditing services for fiscal year 2024.

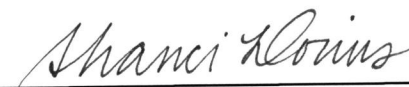
Commissioner Jeppsen motioned to accept the contractual agreement with Searle, Hart and Associates for auditing fiscal year 2024 in the amount of \$20,000 - \$23,000 and a single audit for \$3,000 - \$5,000 for a single audit, if required. Seconded by Commissioner Eliason. All ayes. Motion carried.

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

***** Meeting adjourned by 6:45 pm*****



Bill Lewis, Chairman



Shanci Dorius, Deputy Clerk