

**Jefferson Co. Commissioners Meeting Minutes**  
**March 28, 2011**

Meeting called to order at 9:00. Those present are Chairman Karren, Commissioner Hegsted, Commissioner Raymond, Attorney Robin Dunn, Clerk Christine Boulter, and Executive Assistant Emily Kramer. Phyllis Millar is clerk of the board.

**Staff Meeting – Elected Officials & Department Heads**

Those present are Extension Office Lorie Dye, Assessor Cody Taylor, P&Z Naysha Foster, Building Department Jim Lynch, Weed Department Mitch Whitmill, Sheriff Blair Olsen, Road & Bridge Jim Boulter, Treasurer Kristine Lund, and Probation Tammy Adkins.

Chairman Karren brought up the idea of doing personnel evaluations of employees. Emily Kramer provided eight different samples of evaluations. Commissioner Hegsted mentioned that in the deposition he recently did on a lawsuit regarding a former employee, there was the question of whether there was anything in the individual's file documenting the problem. Evaluations are not just for showing problems, but also for showing when the individual is doing well in their job. Chairman Karren also suggested that employers can write items down, and then have the individual sign it. Then it is firmly in their mind. Chairman Karren explained that Jim McNall from ICRMP said it is also important to write down what the supervisor did to correct the problem.

Attorney Dunn reported that each of his employees has a file, and things are entered in on a regular basis when there is something to report.

Probation Tammy Adkins said that they have staff meetings to address issues, and she has done yearly evaluations in the past. If she has to talk to someone, she documents it and puts it in their file. She also has done plans to correct problems.

Jim Boulter does meetings with employees once a year. He discusses with the employee what he expects of them, and then will write down things to improve. He doesn't address disciplinary issues during this time.

Clerk Christine Boulter explained that because of a recent tort claim, they have decided that all the personnel files need to be in one place, in the clerk's office.

Attorney Robin Dunn said that because he is part-time with the county, he wants to keep his files in his office.

Christine said that she will not give out the files without consulting Attorney Dunn.

Attorney Dunn says the important files include payroll, HIPPA, medical and injury related.

Christine said that she needs those extra files brought to her when there is a claim against the county.

Tammy Adkins asked for clarification. Does she need to give all files to the clerk's office? Commissioners would like a copy of everything that is in her files.

Attorney Dunn explained that he has his files on his hard drive. Commissioner Hegsted said he needs to be able to prove what really happened with the individual employee in case of a lawsuit.

Lorie Dye explained that every year she is evaluated, and she also evaluates her staff. She feels it is a good experience.

Christine said that each head of department needs to bring in their personnel policy for their department, including the job description for each job. She is asking that they adjust their lines on the budget if necessary, to make things work better.

Sheriff said he does not do a formal evaluation, but all his employees do get evaluated. If there are any issues, they are documented. He has a record of the problems, and also the good things. He keeps his employee files in a locked file in his office, and only lets things out with a subpoena.

Mitch Whitmill, Weed Department, says he has discussions with his employees. He doesn't do formal evaluations. He is working on job descriptions and a personnel policy for his department.

Commissioner Hegsted said he wants improvement in this area. A performance sheet needs to be filled out and documented whenever something is done.

Attorney Dunn said that documenting needs to be done with bullets on the page, rather than a full blown story. They want to see that you have a conversation, and that it was documented. It needs to be short.

Jim Lynch from Building Department said he doesn't do evaluations. He has just one employee. Commissioner Hegsted does want a performance evaluation.

Naysha Foster, P&Z, said that she hasn't done formal evaluations. She does give them praise when they deserve it.

Treasurer Kristine Lund said she is new and only has two part-time employees. No issues so far.

Assessor Cody Taylor says she has not done evaluations. She does staff meetings, and they discuss issues as needed.

Some in the group expressed the idea that they haven't been trained in how to do this.

Mitch Whitmill asked if even part time employees should have evaluations. Yes.

Clerk Christine Boulter mentioned that the personnel policy suggests an exit interview when someone leaves the county. Attorney Dunn said that during the exit interview, there could be a checklist for the interviewer.

Christine Boulter reported that we have done well on the ICRMP University Online testing for employees.

Emily will send an email to the heads of departments & elected officials with the eight options for the evaluations, and get feedback on their favorite form.

### **Road & Bridge – Jim Boulter**

- **Open bids for Spray Injected Road Repair Machine**

Commissioner Karren declared the bid opening at 10:00 AM for the spray injected road repair machine. Two bids are present.

Jim opened the bids for the machine. They are both from Metroquip, Inc., 1953 East Commercial St., Meridian Idaho. A bid bond is present. The two bids are for an identical machine, but different trucks underneath the machine. Both are new trucks. One is a 2009 model, and one is 2011.

The bids are:

2011 truck and machine – \$189,450.00

2009 truck and machine - \$171,085.00

**Motion** by Commissioner Hegsted to accept the bid for the 2009 spray injected road repair machine at \$171,085. Second by Commissioner Raymond. Roll call taken. Karren – aye, Raymond – aye, Hegsted – aye. Motion passed unanimously.

### **Clerk – Christine Boulter**

- **Risk Management**

Christine Boulter brought the issue of potholes to Commissioners' attention. They are bad this year. There has been a tort claim filed against the county by a citizen owning a

low profile car. He filed for damages on four tires and rims. ICRIMP settled for half the claim, or two tires and two rims. The filer is not happy with the settlement. He was told he could go on to small claims court. ICRMP is asking that the bad pothole be marked with a sign. Jim Boulter reported that it has been fixed.

### **Road & Bridge – Jim Boulter**

- **Open bids for Crushing**

Chairman Karren declared the bid opening at 10:30 AM.

There are five bids. All were delivered on time.

Bids were open by Jim Boulter for crushing 20,000 tons of ¾” gravel, and 5,000 yards of ¾” cinders.

#### **Rhodehouse Construction**

Bid bond is present.

Total bid is \$52,250.

#### **Blosch Crushing**

Bid bond is present.

Total bid is \$57,250.

#### **Brett Price Excavating Inc.**

Bid bond is present.

Total bid is \$65,500.

#### **Gale Lim Construction**

Bid bond is present.

Total bid is \$124,100.

#### **Rowdy Crushing Inc.**

Bid bond present.

Total bid is \$56,050.

The lowest bid is Rhodehouse Construction at \$52,250.00.

**Motion** by Commissioner Hegsted to accept the Rhodehouse Construction bid for crushing of gravel and cinders in the amount of \$52,250.00. Second by Commissioner Raymond. Roll call taken. Karren – aye, Raymond – aye, Hegsted – aye. Motion passed unanimously.

### **Treasurer – Kristine Lund, Assessor – Cody Taylor**

- **Tax Cancellations**

Debbie Macias & Nicholas Silerio property. Owner has moved out, and the trailer is unfit to sell or live in. **Motion** by Commissioner Hegsted to remove Parcel

# MHD10100050020 from the tax rolls and cancel the taxes in the amount of \$90.41. Second by Commissioner Raymond. Roll call taken. Karren – aye, Raymond – aye, Hegsted – aye. Motion passed unanimously.

Leonel Rosales property. Mobile home has been removed. **Motion** by Commissioner Hegsted to cancel taxes on Parcel # MHD10100230020 in the amount of \$417.08. Second by Commissioner Raymond. Roll call taken. Karren – aye, Raymond – aye, Hegsted – aye. Motion passed unanimously.

- **Personal Property Cancellations**

Pickett's Bambino personal property tax. Mr. Pickett has filed for bankruptcy, and cannot be located. Attorney Robin Dunn recommended not cancelling the taxes and continuing to try to collect from Mr. Pickett.

East on Main personal property tax. The business closed in May 2010, and was only in business for a very short time. **Motion** by Commissioner Raymond to cancel taxes on Parcel # PPA0005015001M in the amount of \$85.75. Second by Commissioner Hegsted. Roll call taken. Karren – aye, Raymond – aye, Hegsted – aye. Motion passed unanimously.

Saw Blade Furniture personal property tax. Business no longer in existence. Unable to locate. **Motion** by Commissioner Hegsted to cancel taxes on Parcel # PPL4N39E194960 in the amount of \$39.68. Second by Commissioner Raymond. Roll call taken. Karren – aye, Raymond – aye, Hegsted – aye. Motion passed unanimously.

Assessor Cody Taylor requested that we take personal property off the tax rolls for property valued at less than \$1000. It wouldn't generate an assessment notice or a tax bill. This would help with the small businesses that come and go so fast. It has been done in other counties. Cody is suggesting these changes for the 2012 tax year. Commissioners gave their approval. It will require a resolution, so Cody will work on that.

### **Social Services**

- **Executive Session 67-2345D)**

**Motion** by Commissioner Raymond at 11:00 to move into Executive Session by Idaho code 67-2345(D). Second by Commissioner Karren. Motion passed unanimously.

Indigent cases discussed. Moved back into open session at 11:15.

**Motion** by Commissioner Raymond to deny #2011-34 for lack of information, to deny #2011-36 for lack of information, to deny #2011-37 for not medically indigent, to deny #2011-38 for lack of information, and to approve #2011-40. Second by Commissioner

Hegsted. Roll call taken. Karren – aye, Raymond – aye, Hegsted – aye. Motion passed unanimously.

Lunch

### **Planning & Zoning – Naysha Foster**

- **Country Acres Administrative Plat**

Naysha Foster presented an administrative plat for Country Acres. It is at 100 N. and 4000 E. These are 1 acre parcels, with 4 lots. She has suggested a shared driveway between two of the lots. There is an existing house already. **Motion** by Commissioner Hegsted to approve Country Acres Div. #1 Administrative Plat. Second by Commissioner Raymond. Motion passed unanimously.

### **Jody Dansie**

- **Request for Review of Liquor Ordinance**

Jody Dansie is here to discuss and educate herself about the county Liquor requirements. They are leasing the restaurant building at Jefferson Hills Golf Course, and have been updating it. She understands that liquor by the drink is not allowed to be sold on Sunday. Beer and wine can be sold on Sunday, but can only be consumed off the premises. She is wondering why that is so. This would require their customers to go out on their patio to consume their drink. This doesn't work well in the winter. In Idaho Falls and Rexburg they can consume beer and wine on the premises.

Commissioner Hegsted suggested that we review the liquor license to see if there are some changes we need to make. That will be scheduled in the future.

### **Mike McCowin**

- **Review of Past Employment**

Mr. McCowin was employed in the county from April 2004 until August 18, 2006. He was contacted by an attorney with an invitation to join the overtime lawsuit before the county. He declined to do so. He understands his request is past the statute of limitations, but feels that there are circumstances that would over ride the statute of limitations. His job included plan review, all building inspections, and attendance at classes and training. He worked under Planning & Zoning Administrator DaNiel Jose. He also indicated that he understood that Commissioner Raymond and Commissioner Karren were not commissioners during the time he was employed. He has prepared a letter that explains his view of the situation and what happened to him. He gave the letter to Commissioners and Clerk Christine Boulter.

Commissioner Raymond asked how the attorney found him. He said the attorney called him. Attorney Robin Dunn explained that he has a conflict of interest, and so will not be

rendering an opinion, but will be recusing himself on this issue.

### **Ty Belnap**

- **Library District**

Mr. Belnap is here to present information about the possible formation of a library district in this area. He attended a meeting regarding the library district. He is in favor of education, but doesn't believe that expanding the library system in the county is a good idea. He has done research with high school students, and also spot checks inside the library, and believes that the need for libraries has changed. People use the internet now for research instead of the library. He also said the library district people have no specific plans or goals for use of the money. They don't want a per capita charge, but want the tax based on property values. He is asking the commissioners to protect the interests of the county residents. Commissioner Hegsted suggested that citizen groups will need to be active in getting information out by newspaper or other means.

### **Attorney – Robin Dunn**

- **Executive Session 67-2345(F)**

**Motion** by Commissioner Hegsted at 3:05 to go into executive session by Idaho code 67-2345(F). Second by Commissioner Raymond. Motion passed unanimously.

Case before the county was discussed with ICRMP Attorney Blake Hall.  
Moved back into open session at 3:27.

### **Commissioners**

- **Claims**

**Motion** by Commissioner Hegsted to accept the claims for March 25, 2011 in the amount of \$163,899.49. Second by Commissioner Raymond. Roll call taken. Karren – aye, Raymond – aye, Hegsted – aye. Motion passed unanimously.

Clerk Christine Boulter located the deed for the Mud Lake airport. It does belong to the city of Mud Lake. It was done in 1976. The county has been collecting the levee for the airport. Attorney Dunn suggested that Farrell Steiner should have them do their own levee line for the airport. City of Rigby should do the same.

**Motion** by Commissioner Raymond to allow the \$3500 for the Mud Lake Airport that was held back on last meeting's claims. Second by Commissioner Hegsted. Roll call taken. Karren – Aye, Raymond – Aye, Hegsted – Aye. Motion passed unanimously.

**Motion** by Commissioner Raymond to approve \$3500 from Commissioners' contingency to cover a lost check for Mud Lake Airport, conditional on receipt of a copy of the airport

check register going back 3 years. Second by Commissioner Hegsted. Roll call taken. Karren – Aye, Raymond – Aye, Hegsted – Aye. Motion passed unanimously.

Commissioner Raymond will fill the position on the Magistrate Commission to replace former Commissioner Baxter.

**Motion** by Commissioner Raymond to approve the minutes of March 14, 2011 Commissioner Meeting. Second by Commissioner Hegsted. Motion passed unanimously.

Commissioner Hegsted will call a Madison County Commissioner to discuss their weed control program.

**Attorney – Robin Dunn**

- **Executive Session 67-2345(F)**

**Motion** by Commissioner Raymond at 4:15 to go into executive session by Idaho code 67-2345(F). Second by Commissioner Hegsted. Motion passed unanimously.

Discussion held on ground and surface water for the lake.

Discussion held on commissioners being involved in issues with citizens.

Discussion held on prosecutor job.

Moved back into open session at 5:00.

The resolution drafted by Attorney Dunn and approved at the March 14, 2011 Commissioner Meeting was signed as Resolution #2011-07 by Chairman Karren.

Adjourned at 5:06.

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*Commissioner*

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*Clerk of the Board*

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*County Clerk*