

**JEFFERSON COUNTY COMMISSIONER MEETING MINUTES
JUNE 12, 2023**

Meeting called to order at 9:00. Those present are Commissioner Clark, Commissioner Young, Chairman Hancock, Prosecutor Mark Taylor, IT Garn Herrick, Sheriff Steve Anderson, Clerk Colleen Poole; Audrey Moon is clerk of the board. Pledge of Allegiance led by Commissioner Young. Prayer offered by Commissioner Clark.

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VERN ULRICH

• **EMPLOYEE INSURANCE BENEFITS**

9:02:00 AM Chairman Hancock said Vern is with Planning & Zoning Department has some employee benefits to talk about. Vern has Gordon Koski with him today who also has issues along with Rob if he is here. Vern wanted to talk with the Board on the insurance benefits with the handbook and paperwork given by Blue Cross of Idaho references copays for doctor visits and specialist visits. Policy says this is \$30 and deductible does not apply. Past policies did not address this specifically. Has been up to interpretation that a deductible does apply. In the current handbook as well as the Blue Cross paperwork on both of these it clearly states that primary copay and specialist is \$30 and deductible does not apply. This is not being honored. Has observed this personally. Gordy has the same issues and so has Rob. Sure, that this is happening with every other employee they have. Part of the issue will refer to the Prosecuting Attorney in reference to his legal counsel but believe this is detrimental alliance on the benefits put forth. To compound the issue, he attempted to reach out this affects all of the employees in the county. Has not spoken with all of them. Example being in March they had a wellness clinic. Waits for this every year then the blood work is already done. Go in to renew the annual prescription meds. Went to the Doctor's office went and paid \$30 then they received a bill for \$202.98 saying that deductible applies to their copay. Attempted to reach out to Carlos on April 18th. Confirmed this email address with Marilyn. On June 12th and has never heard anything back. This is why he is bringing this forward this is an important issue on their benefits.

9:06:32 AM Chairman Hancock said they will need Carlos to define a lot of this. He will be here today on the agenda at 10:00 so maybe they will bring this back up. See if this can be addressed. Have an HRA that the county puts in for the deductibles and copays. This is where that helps defer that cost. Vern said the HRA is part of this but the \$30 copay this is not following what they were told in their benefit package. If the deductible applies to the copay. The employees across the board are not seeking medical for smaller issues. If they have \$5,000 per family or \$1,200 copay per individual. The issue is if this is saying the deductible does not apply that is what they should be following. Chairman Hancock said they will need to speak with Carlos on this. Commissioner Young said he was told the copay does not apply until they hit the deductible. Vern said they are playing this somewhat loose. The deductible does not apply to how they do prescriptions. For most generic drugs is cheaper to use the free Good RX. Been true on the ones he has been prescribed. Maybe it's time for a consideration not sure how long they have been with Blue Cross. Know it's been at least five years. Maybe they need to look at alternatives. Commissioner Young said they looked at Regence. There were a bunch. Chairman Hancock said a few others look at administration cost. They have a co-insurance when they reach a claim at \$60,000 they pay the additional. Spoke with the Gem Plan this is specific for counties and cities. Since the county is self-insured where they pay for the claims. Blue Cross only pays when it hits over \$60,000. The Gem Plan has gone to Blue Cross also. Have asked Carlos to look into these. Vern wanted to bring this forward. Chairman Hancock said they may have some discrepancies and can ask Carlos.

9:12:06 AM Gordon said he went in for an annual visit and same deal. One reason he went with this plan is the primary care only had the copay though that was it. Was surprised with the \$200 bill. Contacted Blue Cross and was told it doesn't matter what the paperwork states this is what it is. Real issue where they purchase this and they pay a portion for this. Fine with whatever it is but wants to know up front. Chairman Hancock said they can come back up at 10:00 when Carlos will be here.

PROSECUTOR – MARK TAYLOR – SHERIFF – STEVE ANDERSON

• **EXECUTIVE SESSION 74-206 (D) – RECORDS EXEMPT FROM DISCLOSURE – (ACTION ITEM)**

9:13:29 AM Motion by Commissioner Clark to go into executive session 74-206 (D) – Records exempt from disclosure. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

Open session 9:43

• **COURTHOUSE SECURITY**

9:44:01 AM Chairman Hancock said they do have Judge Watkins, Trial Court Administrator Tammi Whyte and Deputy Trial Court Administrator Alayne Bean with them today. Going to now talk about the building security. Sheriff has some proposals to present.

9:44:26 AM Sheriff Anderson requests the Commission let him put the numbers together to have a security section with a pass-through machine for bags along with a metal detector. Could have these numbers by next meeting. Chairman Hancock said they are moving into the budget process. Would also require two deputies. This would be a single point entry for the courthouse. This is for security issues. Seeing this in other counties knows Bannock, Bingham and Bonneville do. This is based on the environment. Looking at a single point entry into the facility.

9:45:46 AM Mark does not have anything.

COMMISSIONERS

- **ALTURA INVOICE – PROJECT DESIGN DEVELOPMENT – KETTLE BUTTE ROAD – (ACTION ITEM)**

[9:46:57 AM](#) Audrey said she has the final billing for the Kettle Butte Dairy project. They have a remaining balance of \$6,000. The previous amount of \$12,000 was paid out of contingency and just wanted to see where they wanted this taken from. Commissioner Clark asked if they have any money in the fund. Audrey said the money that Altura requested has not come in yet. They have this submitted. Not sure if they want to wait until they get this or take from contingency. Chairman Hancock said it would go back to the general anyway so pay it from contingency.

- **APPROVE CLAIMS – (ACTION ITEM)**

[9:48:03 AM](#) Chairman Hancock asked for the claims. This was a big one. Commissioner Young said it seems like they use a lot of paper. Everyone got three pallets. Colleen said they get this for the year. Commissioner Clark said this was three pallets. Chairman Hancock did have one it seems like the medical box costs a lot of money. Was around \$250 a month one in the Clerk's Office and one to Road & Bridge. Commissioner Clark asked Rob if they charge per month or do they charge for what is used. Rob said they charge for what they put in the box. Replace medication, Band-Aids and gloves. Commissioner Clark asked if they keep this stocked up? Rob said they keep this stocked but might be worth looking into other options. Commissioner Young thought it seemed high. Rob was in the cabinet a few days before and it did not look like it needed to be stocked that much. Commissioner Young said it would be interesting to see what is being stocked. Chairman Hancock asked if they are charging \$5 for an aspirin. This was \$250.57 for Road & Bridge and \$250 for the Clerk's Office. Rob said he asked them about trauma bags for the vehicles. Wanted around \$200 a bag. Ended up ordering from Amazon for about \$60. Colleen said they come in and they do not know they are in there. They might need to get an invoice for what they did that day. Chairman Hancock said they want to monitor their costs from all aspects. Might need to speak with Mickey again at the lake. Can do this offline. Commissioner Clark said just some of the items they have a continual concern with.

[9:51:47 AM](#) **Motion by Commissioner Young to approve claims from 5/22/2023 to 6/9/2023 for \$1,252,714.47. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[9:52:21 AM](#) Chairman Hancock said this seems like a lot had a purchase of a loader for Solid Waste that was \$310,000. Had \$285,000 for the crushing contract. These were some of the high costs. Was told that the crushing contractor crushed additional cinders at no cost. Rob said 200 tons. Chairman Hancock said they did this at no cost to the county. So that was a savings for the county.

- **APPROVE COMMISSIONER MEETING MINUTES – (ACTION ITEM)**

[10:01:14 AM](#) **Motion by Commissioner Clark to approve commissioner meeting minutes from March 27, 2023. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[10:03:46 AM](#) **Motion by Commissioner Young to approve commissioner meeting minutes from April 3, 2023. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

PARK & RECREATION – MICKEY EAMES

- **SUMMER VENDOR – (ACTION ITEM)**

[10:04:39 AM](#) Mickey said she has a couple vendors that want to be at the lake. One will have snacks and the other one has canopies they will rent out with chairs, tables and games. Will have another for fruit smoothies once they turn in the paperwork. Commissioner Clark said they have Beach Bum Snacks.

[10:07:42 AM](#) **Motion by Commissioner Clark to approve the license agreement with Beach Bum Snacks and Jefferson County Lake. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[10:08:04 AM](#) **Motion by Commissioner Young to approve Lazy Daze Rental Company, LLC for equipment rental out at Jefferson County Lake. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[10:08:21 AM](#) Mickey has asked the vendors to post their hours if they are not there every day.

INSURANCE – CARLOS APONTE

- **REPORTS**

[10:09:03 AM](#) Chairman Hancock said they had an employee bring up some issues this morning and wanted this to be ran through you. Vern said in reference to the employee handbook and information from Blue Cross. Both state that the copay for primary and specialists are \$30 and both also address the deductible does not apply to this. The insurance company is still charging a deductible. Carlos asked a specific situation. Vern said Rob, Gordon and himself have encountered this. Rebecca said this has been discussed earlier but specific medical does not need to be disclosed in public. Chairman Hancock said they do not want any HIPAA violations. Vern said the question is what they are being told is not what they are receiving from Blue Cross. Carlos asked for an EOB for the bill. Gordon said not with him. Carlos said they have a \$30 copay but this is the bill they need to go off the EOB. Gordon talked to Blue Cross and was told the handbook was not right. Carlos said this came from Blue Cross. Will need to go back and do some research. Will explain a few things and will have to come back. An office visit copay if they have a normal visit if they have a cold or sinus infection. Given amoxicillin that is a \$30 copay. Anything beyond this like a strep test or a COVID test. Sometimes they will have an x-ray machine in the office this is not part of the copay. This goes beyond the normal visit and that goes toward the deductible. Is confusing but the EOB should separate this out. Will have office visit of \$30 and anything on top will be toward the deductible. A normal visit is \$30. Will have to go and do some research. Will need the EOB. Need to make sure they do not go off a bill. It is what the insurance company says. Never go off the bill look at the insurance company sends. This does not mean anything in terms to how it applies to the insurance. Gordon said when he called Blue Cross was told this was a basic office visit he was renewing his meds. There was no physical or anything. Was told this does not apply.

[10:14:30 AM](#) Carlos said he will have to see the EOB. It does get confusing on what a normal doctor visit is. Sometimes a doctor will include things in a visit. Thinks that should be included but will research this. It is right here on this paper that comes from Blue Cross. Other thing he recommends is they get phone calls often and have an employee advocacy team. Come to them and they can help them with it. Vern said while they are on that topic he sent an email on April 18th on what his wife had an issue with. Confirmed this is the proper email. Carlos said he did not get this. Did he call him. Vern said he had not ever called. All of these things kept saying this did not apply. Felt they needed to get additional information. Carlos apologizes he did not see this email. Is very accessible by phone either his cell or office. If he did he would have reached back out. Promises he does not sit on emails. For the record he has answered employee emails from the county. Not sure is this came into a junk mail. Is from a gmail not a county address. Vern said it was a personal issue so used his personal account. Carlos said for some reason this could have been filtered. Apologizes again but has said this if they do not respond to an email in 24 to 48 hours they probably did not see it. Text or phone call is acceptable. Talked to county employees at 9:00 at night. Frustrating because he feels bad there was an email and that was the only way they reached out. Marilyn calls all the time. Speaking with the county through payroll weekly. Will look at this and have him an answer.

[10:19:08 AM](#) Vern said this was a wellness visit wife waits until the wellness clinic to get the blood work done. One-time wellness checkup is covered and copays do not apply. Last year his wife did the same thing but she stated she had hayfever so they had to pay out of pocket. On this went in for an annual visit after the wellness test took in the blood work and did not ask any questions. Here to get prescriptions filled for the year. Doctor office said this is a \$30 copay and are not covering anything. Carlos asked for other issues. Vern knows there are others. Rob said same thing got prescriptions renewed paid the copay and got a bill for \$205. Is charging a copay a way for the insurance to extend the deductible out further. Knows the copay doesn't apply to the deductible. Carlos asked if he reached out to his office. Rob said he called the number on the EOB. Carlos would ask they reach out to the office. When they call the insurance company it seems like they get the run around or not the right answer. They emphasize this they need to call them because they are fully trained to match the bills and get the right answer. Then they can call Blue Cross and get the right answer. Get calls all the time from the county. Will get to the bottom of this. If this is a normal doctor visit. On a wellness visit if a doctor codes it wrong they have to recode this. If they lump this together with renewal prescription they will lump meds into one visit. Has to be just wellness related. If they walk in and are sick they could code this as a disease code. Doctor Offices do not pay attention to. Vern said this was not being seen for anything else just had her medications renewed. Carlos said this should be a \$30 copay and if it is for a wellness should be \$0 copay. Vern said they pay the copay and still charge more on top of that. Carlos asked that they get this information so he can research this. Needs the EOB he cannot get this for them. Appreciates them bringing this up. If they do not hear back please call him. Chairman Hancock thanks them for coming in. He is one has called Carlos needed an insurance guarantee to fly to Chile which he had but it was unlimited and needed to be \$25,000. Talked to Carlos. Carlos said if they can talk after would like to get some information. Vern asked to suggest maybe HR could send out information if they have any issues to call Carlos and his office. Carlos said that is a great idea. This is the first time this has been brought to him. They do get calls on the wellness because it was coded wrong. Rob said on this they are paying the \$30 then get a bill. Chairman Hancock said if they have any comments should get ahold of Carlos. Carlos asked if he can come back on the reports. Just has First Stop Health. Wants to visit with these employees. Chairman Hancock said they might have time to come back to this after.

PUBLIC DEFENDER – JOHN STOSICH

- **CONFLICT PUBLIC DEFENDER – ROGER HOOPES CONTRACT – (ACTION ITEM)**

[10:30:38 AM](#) Chairman Hancock asked for the contract with Mr. Hoopes. John said he presented this. Audrey said she forwarded this. John said he went over the contract to meet the PDC standards and made sure they are in compliance. Updated addresses this is for a one-year term. Has normal thirty days' notice for cancellation. Main change is they have a rate increase for Mr. Hoopes they discussed in the last commissioner meeting. Chairman Hancock asked for any comments. Mark said he has not reviewed this contract. Chairman Hancock said this is the same as what they had before. John said the rate and addresses are what have changed. Chairman Hancock thinks they can proceed. Mark just wants the record to reflect that. Commissioner Young said that Mr. Hoopes has not increased these rates since he was first contracted. John said yes. Commissioner Young thinks it is time for an increase.

[10:32:15 AM](#) **Motion by Commissioner Young to approve the professional services agreement for conflict public defender for Roger Hoopes at \$80 an hour from \$65. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

[10:33:54 AM](#) Colleen asked if this is effective immediately. Chairman Hancock said this will start July 1, 2023.

COMPLIANCE – KEVIN HATHAWAY

- **UPDATE**

[10:34:52 AM](#) Chairman Hancock said Kevin will be on Zoom. Asked if they have a report for them. Kevin said he has continued inputting some of the older cases. Chairman Hancock asked if all the new cases are in. Kevin said he puts these in as he gets them. Chairman Hancock said so that is up to date just working on the old ones. Kevin said there are still some he is processing. Chairman Hancock asked what they need to be aware of. Kevin said the complaints are similar as the past. Have some salvage yards that are not permitted the rest has been dealing with. Chairman Hancock asked if they can pick up a copy of this after their meeting. Kevin said he will have one. Commissioner Clark said they would like to know what he is working on the last week or two. How many cases have come in. Kevin said a few a week is not sure offhand. Chairman Hancock said they will pick up a report. Want to know if there is anything they need to be aware of.

[10:37:01 AM](#) Kevin said he has some that have been in the system long enough that he will prepare to send to Mark. They are not ready yet. Commissioner Clark said they would like to be aware of those.

COMMISSIONERS

- **CONSTRUCTION UPDATE**

[10:37:39 AM](#) Rebecca said they had a progress meeting last week. Work has barley started so they are on schedule. October 27 is the date of completion for the downstairs of this building. Plumbing has been completed and demolitions are complete. Will do the floor pour back this week. Had some changes in the plumbing so cut into the concrete floor and now are ready to pour this back in tomorrow. Will come in the back and will run a hose through and pump down in there. Vapor barrier and dowels are in place. Next three to five weeks will be framing along with mechanical and electrical rough ins. Some stuff coming up have pre-installation meetings with sub-contractors none have been scheduled yet. Extensive discussion on the as-built and keeping these updated. Next meeting is July 11th at 1:00.

[10:39:59 AM](#) Rebecca said a side note some of these items will be owner provided. Paper towel and soap dispensers. Have been ordering these. Looking at office furniture to see if they need to go to bid. If they do will roll all of these projects together. Does not have the money spent to date. ESI have not submitted a bill yet since they just started the end of May.

[10:40:59 AM](#) Chairman Hancock asked on the courts. Rebecca said they anticipate this will be published June 21 and June 28. Not sure the bid opening date. Will have construction start August 1. Anticipating about six months. Worked with Intermountain Gas will have to reroute a gas line just a little bit. They will be doing excavation there anyway. Cost will be minimal. The hole will already be open. Later today will look at moving the control box for the sallyport. Will have a safety issue that will be visited later on. Remind employees and public there is construction going on. Working hard to make sure the floor protection is secure. Want people to be aware of their surroundings.

[10:42:46 AM](#) Kevin said what Rebecca is referring to is he made her aware the cardboard covering was loose. They were very responsive they took care of this the next day and is much better than it was. Saw several people besides him stumble that is why he brought that to Rebecca. Chairman Hancock said they appreciate that they all need to make sure they pay attention in that area. Commissioner Young said it looked pretty secure this morning. Rebecca said with the change in temperatures is a constant job to keep that down. Chairman Hancock said they may want to put trip hazard signs up. Rebecca said they will talk about further mitigation later on.

- **BUDGET WORKSHOP DATES**

[10:44:12 AM](#) Colleen said they have these set-on July 24th and July 25th. Will do this after regular meeting and have a special meeting on Tuesday. This is the same as last year. Have not heard that these are a problem. If there is a problem will fit these in where they can.

[10:44:35 AM](#) Recess until 11:00

Open session 10:51

INSURANCE – CARLOS APONTE

- **REPORTS**

[10:51:45 AM](#) Carlos said this is for First Stop Health medicine report. **(Exhibit A)** This was the first report and were able to get some feedback to compare with Teladoc. Looking at average time to connect with a doctor. This is the time from when they reach out to speaking with a doctor. Average is twenty minutes. Ninety-six of these were done with a phone and four percent with a video. Nine percent did the phone request, sixty-two percent used the app and twenty-nine percent used the dashboard.

[10:53:01 AM](#) Commissioner Young said his understanding on a prescription refills they can do that here. Carlos said they did another training on First Stop Health might be good to remind people quarterly. Commissioner Young said that is to remind people. Chairman Hancock said he has liked it. Colleen asked if they need to be on the insurance. Carlos said yes. Next, they have visits by state can see where the employee was. Had some traveling to Nevada, Montana to Idaho. Not requesting this just at home. If more employees get on this those that take medications could get more refills on here. Next page breaks this down by 138 members with seventy family members. Breaks this out by month. July had ten then dropped off for August and September. November, December and January are higher months. Pretty steady use. Still room to improve the usage. Wants to compare this to actual visits. Has this broke down on participating individuals. This forecasts how much participation they may get. Look at how many visits they have and look a trend on what they will get. Have a performance guarantee with this product. Would get some costs back if they do not meet these numbers. Will see by the end of August if they hit their targets. Breaks down the gender analysis versus males and females. Looks like more dependent males use this but more employee females that used it. Then they have an age breakdown.

[10:58:15 AM](#) Carlos said the top six outcomes is avoiding a doctor office. These are people that could have went to a doctor and 64.6 percent avoided that. 16.7 percent avoided going to an urgent care. 9.4 percent were referred. 3.1 percent avoided the ER. Think about that this pays for itself. Interesting they have the last one is peace of mind at 3.1 percent. Eighty-four percent were diverted from in person care. Can see the breakdown at the bottom with the savings. Savings of \$26,000 on just avoiding the ER. Only had thirty percent of employees use this. If they can get that up. Is a great benefit for the employees. Net savings and ROI show the investment with the premium they pay and what they saved. Not one month are they lower. Saying 225% on the ROI. This has turned out to working well. Never got this kind of data from Teladoc so they know what they are doing. Top symptoms are cough, bronchitis with sinus issue and sore throat. Shows prescriptions that were given. Next one was an engagement campaign and getting feedback from employees. Not a lot left. Chairman Hancock said they can finish. Carlos said this is getting them to use this is with education. First Stop Health is open to do more campaigns. Get more people engaged in the program. Thought he might have First Stop Health on Zoom and bring employees in and present this to them. Bring employees in that have used it. Try to get participation up. Commissioner Young said use it once then they do not think of it. Chairman Hancock said if they can renew meds that would be a big help.

[11:02:58 AM](#) Carlos said the reason they switched is for mental health visits. Had forty-three percent called for depression or anxiety, twenty-six percent for family or relationship, fourteen percent for work or life. Have had nine cases which is not very many yet but this is good for stating out. Commissioner Young said just trying to get help. Breaks it down by members. Overall the families are using this more. A lot of this comes from their dependents. Breaks this down by gender again taking out the medical side of this. It is good demographic data. Look at the bottom the range is 18 to

29 is thirty-nine percent so it is the younger employees or members getting the mental care. Chairman Hancock said this is a good program they need to promote this.

[11:05:49 AM](#) Carlos appreciates them. Chairman Hancock said Road & Bridge had a note that Road & Bridge would like to talk to them on some issues. Carlos said they have a game plan will come here on Wednesday to get to the bottom of this.

PLANNING & ZONING – MILTON OLLERTON

- **TERMINATION OF CONTRACT – CIVIC GOV – (ACTION ITEM)**

[11:06:39 AM](#) Milton said that Vern has been working on this with Mark. Chairman Hancock said they have a letter drafted from the attorney. Need to approve the termination on this contract. Vern said this is straightforward and appreciates Mr. Taylor getting this prepared. **(Exhibit B)**

[11:07:29 AM](#) **Motion by Commissioner Young to terminate the contract between Planning & Zoning and Civic Gov. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

- **RELEASE SURETY ON PALISADES BUSINESS PARK – (ACTION ITEM)**

[11:07:58 AM](#) Milton said to finalize this subdivision they needed to have a development agreement signed and in place. Most of this has been done it does include a one-year warranty on work done. Good on the developer for signing this. Sending this over for their signature. Need to accept this and release the surety. Have a cashier's check if they can notify the Treasurer on this to release.

[11:09:05 AM](#) **Motion by Commissioner Clark to release the surety bond for Palisades Business Park. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

- **SUB-22-05-01 – YOUNG & YOUNG LIVESTOCK – MAGNOLIA ESTATES – (ACTION ITEM)**

- **LOCATED NEAR 230 N 3800 E – PROPOSE 12 LOT RESIDENTIAL SUBDIVISION – AREA OF IMPACT REQUIREMENTS/MODIFICATIONS**

[11:10:01 AM](#) Milton has the Magnolia subdivision plat. Brought it up several months ago but had an issue with the area of impact agreement. Wanted to go over a few things as they work through this. One challenge they have had is the city with the way this is written as a Level I this is any high-density developments. Goes on to talk about high density with more than one house per acre. These are one acre lots with not more than one home per lot. Not required to have sewer and water. Tried to negotiate with the city is there a way to lessen these impact requirements. The city said they had no plans to annex this area anytime in the near future. Would not be able to provide services to this area any time soon. On page twelve number six of city services says if these connected services are not available by the beginning of construction a developer may appeal the applicability of these conditions to the county for special conditions. County should consider when the services will become available. What they are saying is city has no plans to annex this area. There are no plans for services. Requirements in the AOI agreement is curb and gutter, mow strip, French drains, street lights at each intersection, Geotextile fabric installed under road base on new asphalt roads, new roads to include at least three inches minimum of asphalt, sixty-foot rights-of-way, forty-two foot road width on all new roads from curb to curb, sixty-foot rights-of-way, water service pits installed, water service installed in front yards, sewer installed in the rear yard, cul-de-sac, fifty-five foot minimum property frontage. Challenges is Road & Bridge has indicated a hesitancy on requiring the curb and gutter. Thinks the developer would be willing to move forward with some of these things. This is a twelve-lot subdivision. Developer is here to answer questions on what is applicable and what is not.

[11:13:57 AM](#) Chairman Hancock said he is going back when this was put in place. The city wanted all of this not the county. Agreed to this but the basis was this had to be more than ten lots of course this is for twelve. Idea was to have this ready to annex in to meet city standards. Wanted a huge area of impact. Milton said they do have a big area. Chairman Hancock said they still do but this was cut back. Got a lot of comments on this being terrible. The whole point is the city has to be able to provide services. If they are not willing to provide services then why is this area so big? Legislation was brought up by Senator Lakey. Did have a meeting in Moscow with Senator Lakey that said they cannot have more than one-mile radius from the city. This is because the cities are not providing the services. Areas of impact is still governed by the county. Agree with the city that they need this area in case they want to annex. Wants to make sure they are not stepping on any toes. Milton said the way this agreement reads the county has the ability to waive these requirements if the city cannot provide services. Commissioner Young said the idea is the services need to be provided in five years. Chairman Hancock said this will be introduced again next year. Milton met with the Mayor a few weeks ago and spoke about this. Have no plan toward annexing in this area. Feels it is reasonable that there is no plan in the future to have city services. Also, have been vocal on not annexing one acre lots. Chairman Hancock said that was the intent was to have high density in the area of impact. This is a tough one. Hope the developers realized why they put this on hold with what they found being in the area of impact. Commissioner Clark is not sure how much the city has to sign off on.

[11:18:16 AM](#) Jeff Stokes is representing Young & Young Livestock on Magnolia Estates. Understand where they are at. As a developer knows the right channels. The problem with this one is to bring improvements. When they met on this with the community there was a high concern on changing things outside of what they expected. Made a lot of concessions. Talked with neighbors behind this property. Told them this was one acre lots. Not putting condos on. Thought he was going to have to go back and eat a lot of crow to be able to pencil in larger road with curb and gutter and utility services would be bringing in more density to the development. The feasibility to bring this from the city would have to run public utilities through property he does not own. Did try and go through the city on this. Felt they were tied with the way the agreement was made. Wants the ability to continue with their plan on this property. Wants this to be nice and blend with the existing community. Almost 360 degrees around this is one acre lots. Does not want to change that fabric by going to half acre lots. Expected to go with the precedence that was set in the county before. Was not surprised the county came and told them they had to follow the rules that were set in place. Met with Milton, county and city several times. Trying to find a way through this obstacle. He does not want to build town houses out there. Wants to build what they agreed to build with this subdivision a year ago. Does not mind building in an impact area. This is higher level than the county would otherwise require. The utilities to bring these improvements is not in the foreseeable future. Chairman Hancock said the school has the utilities but they own these. Jeff said he has tried. Chairman Hancock said that is because the city did not fund these utilities. Jeff said when he looks at the area of impact this is where a community

should encourage growth. When this is still small town wanting a small lot that is one acre. When they meet the needs of a community they are trying to build and develop to that interest. Not wanting to be greedy. Wants to provide a good opportunity for his family and does not want to increase density. Was not coming in with dollar signs putting in quarter acre lots or condos. Exchanged the land they had in a prudent fashion. Wants a way around all the obstacles. Want to provide one acre lots. Chairman Hancock said they want to make sure they follow the agreement.

[11:24:43 AM](#) Milton said they are asking if they can build these roads to county standards. County is used to taking care of their roads. They are asking for no street lights and a mow strip. Chairman Hancock asked on the irrigation for this. Jeff said they will probably have a pressurized system. Chairman Hancock said the canal is wrong. This is Burgess Canal. It is not the Rudy it is Burgess. Jeff said that is an error. Commissioners discuss the canals. The rights are from the Burgess. Jeff said that is right will fix that clerical error. Milton said this is not for a final plat. Just looking at these requirements. Will still need a development agreement, engineer cost analysis and can fix that canal. Commissioner Clark asked for the sheet that has the requirements. Chairman Hancock said in the development agreement need to recognize they have been to the city and they are not opposed to them using the county standards because there is no plan for annexation. Milton said his only concern the way this reads to him this puts this in the county for final approval. Have talked to them and have not been willing to change anything. Discussed amending this agreement but have not been willing to do that. Chairman Hancock said they do not have to amend the agreement. They can state to the city they are doing this to county standards. Jeff said they state to the city they are building this to county standards. Commissioner Clark said they will want them to agree to this. There is a lot they have to work with the city on. Jeff said as a landowner appreciates this as a governing body to consider the landowners in the county. If they have one acre lots want to keep these closer to where everything is. Milton said they will follow that path. Chairman Hancock said they just want to follow what they agreed to with the city.

- **ADMINISTRATIVE PLAT – TETON PEAKS INDUSTRIAL PARK 4TH AMENDED – (ACTION ITEM)**
 - **JON SOUTH**

[11:29:44 AM](#) McKinlay comes up and provides a plat. This was an amendment that was applied for as an administrative plat. This is either admin plat or short plat. Is an existing subdivision with Teton Peaks this is the proposed fourth amendment plat. Has twelve lots one is non-buildable is under the minimum one acre. Zoned light industrial. Applicant wants to split a three-acre parcel into three 1.033 acre lots. Reviewed this on the administrative requirements and plat requirements. Made some corrections with some notational notes from the Assessor. The lot numbers needed to match county standards. Chairman Hancock said this is three lots. McKinlay said that staff does recommended approval on this as it is in compliance.

[11:31:38 AM](#) Chairman Hancock said this is one they are trying to change anyway. Milton said this is the easier process for that. Chairman Hancock said this is what they had discussed. Milton said this way it does not have to have a hearing. Chairman Hancock said they do not have to go to Planning & Zoning to split lots in a commercial subdivision. Never know what size lots will be selling. Commissioner Clark said they do have a building they are using. McKinlay said they do have a shop used for trailer sales.

[11:32:37 AM](#) **Motion by Commissioner Young to approve the administrative plat for Teton Peaks Industrial Park 4th amended plat to split this and create three lots. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

- **UPDATE**

[11:34:15 AM](#) Vern has the May report. (**Exhibit C**) As they are aware they slowed at the beginning of the year but May exceeded the month and are up over thirteen percent from last year for just the county. Permits for May was sixty-five and last year was sixty-two. Have fourteen already for June. Things are picking up with development. Chairman Hancock said they have a lot of solar panels. Vern said the tax incentives are there this year and are significant. This is a sales point for the public. Commissioner Clark said single family homes has picked up.

[11:36:15 AM](#) Chairman Hancock had an individual on length of time of inspections did they ever call. If this goes beyond six months they have to get another building permit. Milton said code says if they go 180 days without an inspection the permit expires and they have to reapply. They follow what they do consistently. If they had a policy that expressed some leeway they would follow that. If they have a state inspection during that six months they can count that and can look that up on the state website. Some instances have come up right now there have been several. Is frustrating they do not understand why they have to reapply. They have expired this permit and put it away. A lot of times this is because things change. Some of these have been sitting for over a year without any inspection. They figure the project is on hold or stopped. To get back on track they have to renew the permit. Have had several of these. Chairman Hancock said the one he spoke to said this was costly. Did not want to repay the fee. Commissioner Clark asked if they are close to that timeframe can they have an inspector come out. Milton said they can apply for an extension but this requires the developer to be aware of where they are at in their permit. If they are close they can extend this. Commissioner Clark asked if there is a cost. Milton said it does there is a small percentage to extend this. Commissioner Clark said this helps the public keep the contractor on task. Milton said they have over 900 open permits. As the software upgrades this will be easier for them to manage. Right now, is difficult to know when these will expire. In the past they had sent out letters letting them know they are coming up on six months. This is a chore with no computer system. Vern said one nice thing is they give them credit for what part of the permit has been accomplished. Do not start from scratch. If nothing was done it is the entire fee. If they are fifty percent completed they give them that credit. Chairman Hancock said he told them to call Milton. Is good to work with. Milton said they are consistent on this. Had a contractor acknowledge this was their mistake? One wants to change the whole program when this works for everyone else. Chairman Hancock said once they get a software program they could send out a notice. Vern said the build on this new software is going very well. Have weekly meetings updating work flow. Some things will be programmed to automatically happen. Chairman Hancock thinks this will be good. Knows Bonneville and Rexburg use this. Vern said Bingham is in the process of adopting this.

[11:42:25 AM](#) Milton said they adopted an ordinance to appoint a hearing examiner and has sent this to Mark for review. Wanted to make sure at some point they have a further discussion on this. Chairman Hancock said this was brought up in Moscow meetings. There is just so much work for the Planning & Zoning Commission they take the heavy stuff there and the rest goes to the hearing examiner.

ASSESSOR – JESSICA ROACH

- **CASUALTY LOSS EXEMPTION – PARCEL #RPA0005002008D – (ACTION ITEM)**

[11:43:59 AM](#) Jessica said she has a casualty loss exemption for a home that burned down on Main Street. Will have to totally rebuild this. May have one or two more the deadline is the fourth Monday in July. Chairman Hancock said they had one out in Ririe and one outside of Rigby. Jessica said they sent out applications with their assessment notices.

[11:45:18 AM](#) **Motion by Commissioner Young to approve a causality loss exemption for parcel #RPA0005002008D. Assessed value \$337,394 the total taxable value \$212,394 prorated value of \$73,340. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

HR – REBECCA SQUIRES - PUBLIC WORKS – ROB CROMWELL

- **COMP TIME PAYOUT – RESOLUTION #2023-25 - (ACTION ITEM)**

[11:47:28 AM](#) Chairman Hancock said they have a discussion on the comp time payout and how they structure this based on what is a benefit. Rebecca said they are all very prepared for this meeting they have had extensive discussion. **(Exhibit D)** Legally believes this is legal and she is on the same page as Mark. Go to policy. Payment of overtime is allowed by policy established by the Board of Commissioners. So currently law enforcement is the only class where they pay out the overtime. Other departments only accrue comp time when authorized. Been the practice with Road & Bridge they get comp time in the winter and burn this off. Policy wise they are not prohibited but is not specifically called out. Usually do not have the latitude in the budgets to pay this out. Only time they as a practice will pay this out if they have an extreme emergency. Which equates they are working seven days a week at twelve hours. Accruing this at an extreme rate so they will pay this out. So, in policy is not prohibited but is also not specifically allowed. Have to come down to a decision from the Board. Then a discussion if this is a benefit or not. Payment of overtime is not a benefit. This is a liability the county has. It is beneficial to pay this out for the operational needs of the county. Does not have an issue paying this out. Personal opinion would see this as an operational need. Problem is they are making this optional to opt in or out which does not satisfy the operational need. They either need these people at work or they don't. Getting an option to choose how much they really need them at work. That is an employer's decision. Creates an administrative headache for our payroll department of one on if these employees opted in or not? Have they already opted in or not? This becomes administratively burdensome. Operationally they need these people at work. Can set a threshold and anything beyond this is paid out once and is done. Can be a demand pay where this is just the comp time payout with a check. Plenty more she can say not sure that is necessary. Chairman Hancock said ICRMP says this is not a benefit. Rebecca said they cannot treat this as such. Does believe this will create a civil liability for the county. Commissioner Young said this is viewed as a benefit if it is optional. Rebecca said correct.

[11:52:18 AM](#) Chairman Hancock said they can solve this without too much more discussion. He has talked to his employees. Within Road & Bridge this was specific to them it is not optional will pay out anything over eighty hours as of this date then it is a one and done. May have to address this again if the situation arises. Only to those people that spend the time because of the winter they had. Rebecca asked if this a permanent change or just one and done. Chairman Hancock said just one and done. Rebecca said that is her preferred method on handling this. Chairman Hancock said they cannot have the crew leave all summer then they only have half a crew all summer. Have one grader operator in Hamer, Mud Lake or Roberts who takes a hundred hours off then the roads will go to pot. Using these as illustrations. Commissioner Clark said he does not see an issue paying this out. It is just how this is done. Chairman Hancock said he has read this information.

[11:54:21 AM](#) Rob said when he wrote the original resolution it was to follow the law, follow the policy and to serve the county and employees fairly. Reason he really wanted the employee to have the option is when they earned this a payout was not discussed. Earned this knowing they could take time off within reason at their leisure. Feels they took time away from their families and have an obligation to get that back. Other option is if they mandate this they set a date in the future far enough that provides time for people to use this. Say July 15th. This would allow enough time for them to reclaim some of their time. Chairman Hancock said they do not want to short change the operations. Only above eighty hours so they would still have eighty hours. Commissioner Young said that is in addition to their PTO. Chairman Hancock said comp time has to be used with his approval. Rob said they work around to make sure not everyone is off at the same time.

[11:57:01 AM](#) Rob would like to add that he did a new calculation with the up to date payout numbers. If instead of repealing the previous resolution to change this from eighty-hour threshold could open this up to more employees. Would then have more man hours at work. Chairman Hancock asked how much money they have available. Rob said close to \$37,000. Chairman Hancock said they have a policy of eighty hours. Rebecca said policy is forty it is expanded for them. Chairman Hancock said they could go down to forty. Rebecca said she does not have an opinion on what that threshold is. Only ask is this is a one and done with a set threshold and pay out anything else. Chairman Hancock asked on going to the forty. Rob said if they go down to forty he would be more adamant that this be optional. The second to last page that takes care of the administrative concerns because he would be tracking all of this. Would send this off to payroll. Chairman Hancock wants this to be one and done. Rob said the comment will have a deadline to submit this to him. Then he will track it on his paperwork he has to make sure this is available. If everything is accurate and they have it will be approved and tracked on his spreadsheet. Rebecca said if this is a payout or within a paycheck payroll still has the obligation to track this and make sure the time is available.

[12:00:22 PM](#) Chairman Hancock would rather this all be submitted at the same time on the same date as one and done. Rebecca said this really cannot be optional. Commissioner Clark is good with that other than going to forty hours. Thinks they took this time and it's been eighty. If they want to change that down the road. Has given them eighty hours. Would hate to do this now. If they had plans to use that time. Good to get rid of some of it but wouldn't want to go to forty. Feels like they worked this knew the cap was at eighty hours. Commissioner Young said he gets from Rob that they would be happier with the eighty hours. Do not want to run short on help. Rob said some do not meet the eighty-hour threshold so they are excluded. If they wanted to reclaim more man hours having this be optional is the best path forward. Chairman Hancock said this being optional is a nightmare. Did a good job on this information. Rob said changing this from mandatory to optional does not change this is still compensation. The

payroll aspect of this would be a nightmare. Rob said if the answer is it needs to be mandatory then would not go below eighty. Chairman Hancock said he feels this should be mandatory. Still have two weeks of comp time. Commissioner Young said they have time to use some of this time. Chairman Hancock said they need to have a crew. Commissioner Clark said Rob still approves this. Rob said they have been willing to work with their restrictions. Still think they can absorb one guy being off. Can't absorb half the crew off for six to eight weeks. Has a new resolution he has created if they want to make it mandatory. Rebecca said she has not reviewed this. Commissioner Clark asked if this has July 15th date. Rob said it is the same. Rebecca said this still does say optional. Rob said they could scratch that optional section. Down below he changed it. Rebecca said the first paragraph may need changed. Will let Mark have at it. Rebecca asked on if this can be done anytime before the 15th. Chairman Hancock said they will wait until then and scrape anything left. Audrey said the 15th is a Saturday. Could do this as a demand. Rebecca said what the hours were on the 14th pays this as a demand on the hours over the threshold. Rob asked if they will keep the 15th. Rebecca said the 14th is a payday.

[12:10:18 PM](#)

Motion by Commissioner Clark to rescind resolution #2023-25 from May 22nd to be replace with a new resolution. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

PUBLIC WORKS – ROB CROMWELL

- **ASPHALT BID TABULATIONS – MULTIPLE AWARDS – (ACTION ITEM)**

[12:11:43 PM](#)

Rob said he has the bid tabs for asphalt. Has the screen shots from Google Maps on the haul cost. Material from HK was \$69.50 a ton, Knife River is \$67.00 a ton, Depatco is \$67.50 a ton. Factored in haul costs. Chairman Hancock asked what distance he used. Rob said the first map is Depatco found the best route determined by Google from County Line to their plant. All trucks will pass this point no matter what. This is twenty minutes with 15.3 miles, HK is eight minutes with 7.3 miles, Knife River is nineteen minutes with 13.9 miles. Haul cost used fuel burn rate and average cost per man hour for the operators. For HK came to \$5.37 per ton, Knife River came to \$11.81 per ton, Depatco came to \$12.61 per ton. In the bid documents had an estimate of 10,000 tons. Overall cost his estimate was \$750,000. HK's bid was \$748,700. Knife River was \$788,100 and Depatco was \$801,100. So, HK is the low bidder when factoring haul costs. Do plan on issuing a notice of award to all three bidders. HK will be primary and the others will be secondary. Chairman Hancock is surprised they held the prices as well as they did. Commissioner Young asked what they paid last year. Chairman Hancock said \$64.50. Rob wished they had better locations. Chairman Hancock asked where Knife River is. Rob said off Yellowstone Highway by Old Castle. Commissioner Clark said they figure an hour per run just on that mileage. Chairman Hancock said HK is off and on.

[12:17:03 PM](#)

Rob said if they are okay will have a notice of award for all three bidders. Chairman Hancock said they need a purchase order with the terms and conditions. Rob said these were in the bid documents. Once they get to the paving will sign a purchase order once they begin ordering. Chairman Hancock said he did not look at the bid documents did they say they were going to evaluate mileage. Rob said yes, they would look at haul cost including mileage and labor using Google maps. Chairman Hancock said he just wanted to make sure they knew up front. Thinks other counties may do this as well. Bingham bought a paver. Rob said another municipality got a contract back but did not get as good of pricing.

[12:19:57 PM](#)

Motion by Commissioner Clark to authorize a notice of award for 2023 asphalt to HK as the primary source and Knife River and Depatco as secondary sources. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

- **RAILROAD CROSSING FOR JEFFERSON GREENS SUBDIVISION**

[12:20:54 PM](#)

Rob said on the railroad crossing in Jefferson Greens subdivision has been working on the application that this is an existing access. There may still be some costs. Going to try and submit this without paying the \$1,700 application fee. Also, is having the area surveyed to do a preliminary design for the crossing that will be bare minimum they can submit to get this approved. Wanted to make the Board aware of the pending costs that may come with this.

- **EMERGENCY GRANT FOR FAILED CULVERTS WEST OF ROBERTS**

[12:22:29 PM](#)

Rob said he is applying for an emergency grant with LHTAC for the culverts. Asking for \$100,000 for culverts that failed west of Roberts.

- **PURCHASE ORDER APPROVAL FOR NEW PICKUPS – (ACTION ITEM)**

[12:23:15 PM](#)

Rob has a purchase order for pickups with where these are being paid from. Commissioner Young said this is coming from their impact fees. Had some funds that were misapplied to this account and got that moved? Have \$17,500 in capital vehicles they will also apply to these. Chairman Hancock said they are getting a good deal on crew cab diesel for \$58,600 which is very fair.

[12:24:22 PM](#)

Motion by Commissioner Young to approve purchase order to Tadd Jenkins for two 2024 Chevy 2500HD pickups for \$118,342. With \$80,000 paid from impact fees, \$17,562 paid from capital vehicles and \$20,780 has been paid from the impact fee account. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.

- **RESOLUTION #2023-27 – COMP TIME PAYOUT – (ACTION ITEM)**

[12:26:19 PM](#)

Rob said he will have that ready by next Monday.

- **UPDATE**

[12:26:44 PM](#)

Rob said for Solid Waste got the footing poured Friday. Going to give this twenty-eight days to cure. Want this to set up. Chairman Hancock asked if they took any cylinders. Rob is not sure if they have any or not. Chairman Hancock said then they know the breakage. Rob said he will see if they have any cylinders off that truck. For Road & Bridge they are almost done with surface prep on 1900 and will be ready for oil next week. Cannot get a truck until Friday the 23rd to lay the MC800 so they will shift their work week taking Monday off and work Tuesday through Friday. Will spray their oil and lay the chips Friday. Come back Monday and roll this again. Commissioner Clark asked if they got a

distributor. Rob said they did but cannot get a tanker from Idaho Asphalt until Friday. Doing training on the distributor on Wednesday. Everyone has some type of training on Wednesday.

12:28:53 PM Rob said he is working on the rights-of-way general provisions. Getting ready for the pilot test on 1900 E. Have a meeting on Wednesday at 7:00. Commissioner Clark said at the ALC. Commissioner Young asked what they are driving. Rob said they can meet here and pick them up. Commissioner Clark said Audrey will need to come with them. Will have a handout for what will take place out there. Chairman Hancock said anything they have to show what they will be doing out there.

EMERGENCY MANAGEMENT/HR – REBECCA SQUIRES

• **RELOCATION OF SALLYPORT INTERCOM – (ACTION ITEM)**

12:31:35 PM Rebecca said in preparation for the court office expansion will be cozy behind the jail. If they move the control box to the west side this clears up space for turning vehicles. Operationally this will work for the jail and the Sheriff is on board. These individuals handle the communications with the sallyport already they know the system. This will move the control box to the westside of the sallyport. Will work with the Sheriff on some change management for entities they will want to message this clearly. Chairman Hancock said they have to move it if they want to expand. They have transport vans that have to use this.

12:32:48 PM **Motion by Commissioner Clark to approve the relocation of the sallyport intercom by Systems Tech for \$4,513.28. Second by Commissioner Young. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**

12:34:06 PM Rebecca said they will use ARPA and roll it into the construction costs.


• **EXECUTIVE SESSION 74-206 (F) – LEGAL – (ACTION ITEM)**

12:34:20 PM **Motion by Commissioner Young to go into executive session 74-206 (F) - Legal. Second by Commissioner Clark. Roll call taken. Commissioner Clark – aye, Commissioner Young – aye, Chairman Hancock – aye. Motion passed.**


Open session 1:33

1:33:31 PM Chairman Hancock said they have discussed some legal issues.

1:33:40 PM **Motion by Commissioner Young to adjourn at 1:33. Second by Commissioner. All in favor – aye. Motion passed.**


Chairman of the Board


Clerk of the Board


County Clerk



8/21/23
Date

8/21/2023
Date

8/21/23
Date