

MEETING AGENDA ONEIDA COUNTY COMMISSIONERS



February 22nd, 2021

10 Court Street, Malad, Id. 83252

This meeting will be held in the court room to accommodate social distancing.

Participation via telephone is also available. (see information at the bottom of the agenda)

TIME

TOPIC

- 9:00 Meeting called to order. Pledge of allegiance and Prayer (by invitation)
- Approve the consent agenda. Action item
Claims review and meeting minutes for February 1st, and February 8th, 2021.
 - Brian Thomas – Community center. Action item
 - Larry Oja/Harry Sherman – The U.S. Constitution Action item
 - Bryce Contor – Water rights adjudication. informational
 - Commissioners – Agreement for a CLG historical preservation plan Action item
 - Treasurer L. Love – Authorization to adjust late fee's & penalties. Action item
 - Treasurer L. Love – Homeowners exemptions; enrollment and cancellations. Action item
 - Road & Bridge – sign vandalization. Action item
 - Commissioners – Travel & vehicle use policies - discussion with all offices and departments. Action item
 - Rhonda Neal – Events center issues; parking, lighting, roadways etc. Action item
 - Commissioners – Water source for the fair grounds and road dept. Action item
 - Commissioners – BLM road right of way. Action item
 - Commissioners – Planning and zoning board member. Action item
 - Commissioners – Testing fees for building inspector commercial license Action item
 - Commissioners – Rural Economic Development Initiative program Action item
 - Clerk Colton – Resolution to open the budget and account for CARES ACT grant - revenue and expenses. Action item
 - Commissioners – 30 day review of the building inspector temporary help. Action item
 - Commissioners – Future meeting location. Action item
 - Attorney Brower – Quad county board of guardians. Action item
 - Clerk Colton – Report on the State Board of Tax appeals decision on the Thurber appeal.
 - Executive session per Idaho Code 74-206 (1)(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent...
 - Commissioners - Budget review.

NOTE: the executive session will take place at 11:15 to accommodate all participants. The regular meeting will tentatively resume around 12:00 pm to address all remaining agenda items.

To participate via telephone dial: 1 253 215 8782 US (Tacoma)
Meeting ID: 956 9577 0900
Pass code: 792453

MEETING MINUTES OF A REGULAR MEETING BOARD OF ONEIDA COUNTY COMMISSIONERS

The meeting was opened by Commissioner Lewis leading the Pledge of Allegiance and offering a prayer.

Commissioner Lewis called for a review of the agenda.

Commissioner Christophersen made the motion to approve the consent agenda consisting of the claims and meeting minutes for February 1st, and February 8th.

Commissioner Eliason seconded. All commissioners approved and the motion carried.

Brian Thomas- Community center; Mr. Thomas explained that he is currently in charge of the city recreation department and that he is looking for alternate places for the many sports and activities they are trying to offer the youth in our community. It was stated that the old high school gym is currently used from early morning to late into the evening by citizens of all ages including youth sports and those walking for good health. He further explained that the current plan of the Oneida School District is to remove the old high school and adjoining gym. If this occurs then the city recreation will be without a place to conduct any form of indoor activities. His suggestion is to seek a recreation district within Oneida County where by a facility could be built specifically for community use such as youth sports, adult recreation like pickleball and also the health walkers or runners. Mr. Thomas further suggested that the local swimming pool, operated by the county, could be part of the recreation district. County attorney Brower read excerpts from Idaho Code 31-4304 whereby it outlines the creation of recreation districts. Although the commissioners did not formally support or reject the described proposal however they did encourage Mr. Thomas to proceed with the process as outlined in Idaho code and let the voters decide.

Larry Oja – U.S. Constitution; Harry Sherman, Brian Jeppesen and Larry Oja collectively came before the board to share thought and concerns regarding our freedoms and following the constitution. Mr. Sherman stated that they have a new group in town and they are calling themselves the Oneida County peace keepers. Their concerned with all of the violence across the nation and that some of the larger communities close to Malad have even seen an increase of violence. Their goal is to unite the community and prepare for any possible threats that may occur which would threaten the safety and security of the citizens of Oneida County. He further extended an invitation to anyone wishing to join in the cause and to attend their meetings. He estimated 100-person membership with a projected increase to 500 members in the next few months. Mr. Jeppesen spoke to the requirement of taking an oath in order to become a naturalized citizen and the oath of office that military and elected officials must take. He further suggested that even though a person has taken the oath they may not have read or fully understand what is in the constitution. He read the oath that is administered to those on the path to becoming a naturalized citizen and suggested that all citizens should consider themselves under the same oath.

To support and obey the law under the direction of the Sheriff and to support the elected officials in their duties. It was also recommended that Oneida County let all, even the Federal Government know that we will uphold the laws and defend the constitution against all enemies foreign and domestic. Mr. Oja spoke about teaching youth through the Boy Scouts of America of their inalienable right and responsibilities as citizens of the United States.

A petition with over 250 signatures asking the county commissioners to make Oneida County a Constitutional rights Sanctuary was given to the commissioners. Also presented was a resolution "Supporting the protection of rights under the constitution of the United States and the constitution of the State of Idaho" along with an ordinance regarding "The protection of rights under the constitution of the United States and the Constitution of the State of Idaho". Commissioner Christophersen questioned if the request was the same as a resolution that was passed in February of 2020. Mr. Oja did not know of the referenced resolution in question. The commissioners stated that they will review the provided information and study it out before further discussion with the board of commissioners. Commissioner Eliason asked if all signatories were aware of what they were signing. Mr. Oja stated that the proposed resolution and ordinance were attached to the petition if the person wanted to read them before signing.

Bryce Contor – a water rights consultant from Idaho Falls presented thoughts and information that could help in the upcoming water rights adjudication of the Bear River Basin. The adjudication was passed by the legislature and the courts have set a hearing for some time in March but this time line may be early. It is highly suggested that those with wells get their paperwork in order ahead of time so they are ready when the process starts. He stated that it is better to file early and not wait until the end. He further suggested that although small stock water and single home dwellings don't need to file, it would be in their best interest to file anyway. The full process was explained and the summation made that they may start in Curlew and work to the east with Malad, then Franklin County and finally Bear Lake County being adjudicated. The question was raised about the meters that are being installed on wells currently and they discussed how the meters will provide accurate proof of usage that can be used to verify if someone is receiving their allowed flow as permitted by the State.

The county approved a CLG or Certified Local Government to be formed around one year ago for the preservation of historical sites and to get them recognized on the national registry. Jean Thomas, Chairperson of the committee came before the board to report that a grant from the Idaho Historical Preservation office has been awarded to the CLG for the purpose of helping write a historic preservation plan. This plan is required prior to being eligible for help with funding and operating as a CLG. They would like to hire a consultant to ensure that the plan is drawn up correctly and they suggest working with Kirk Huffaker. Mr. Huffaker has a professional consulting service and will be able to ensure that a proper plan is created. The cost will not exceed \$13,000.00 dollars with \$1,000.00 coming from the county as a local match. The local match will be in the form of in-kind hours from the Oneida CLG committee and printing costs.

Commissioner Eliason made the motion to approve the MOA with Kirk Huffaker to aid in the writing of a historic preservation plan for the Oneida CLG with the cost coming from grant money.

Commissioner Christophersen seconded. All commissioners approved and the motion carried.

Treasurer Love explained a new law whereby a new homeowner can claim the homeowner's exemptions from the first day they occupy the home. In the past there was a deadline in April for each application to be completed however this deadline was eliminated by the legislature. This could have an effect on the actual property tax that is collected on a residential property because the values and exemptions are set early in the calendar year and can't be changed. If a home is sold and it didn't have homeowners applied and the new owner does apply then the county would only receive around 50% of the anticipated taxes on said property. The law still states that only a board of county commissioners can forgive taxes so the county treasurer has asked the commissioners if they would allow her to apply the homeowners at the time of application and then bring the issue to the BOCC at their next meeting for a ratification. She suggested an amount in the \$250.00 to \$500.00 dollar range.

Commissioner Christophersen made the motion to approve giving the County Treasurer the ability to cancel taxes, up to the amount of \$250.00 dollars, when apply the homeowner's exemptions as stated in the Idaho code for new homeowner's occupancy, contingent that all cancellations are brought before the commissioners for a ratification of the action in the next commissioners meeting.

Commissioner Eliason seconded. All commissioners approved and the motion carried.

Road foreman Scott Blaisdell reported that there is a significant increase in the number of road signs being vandalized or stolen. He indicated that the cost to purchase and install a sign is rather high and that his budget will not allow him to replace all of the missing or defaced signs. He has asked the commissioners for suggestions as to what course of action can be taken. No immediate actions were identified that would stop the vandals.

The travel and vehicle use policy changes were discussed. Per diem rates and mileage rates were discussed with other elected officials and department heads. There was some discussion regarding use of the county car and reimbursement for use of an employee's personal vehicle. Also part of the discussion were gratuities and when per diem was eligible to be requested, ie. continental breakfast at the hotel would negate any ability to receive per diem for that meal. Attorney Brower further suggested that all changes involving expenses become active on October 1st due to current budgets being set already. Working lunch was brought up with the Sheriff indicating that if a person is in his home office or in the county that he should recognize his work schedule and be able to bring a lunch from home rather than eating on the tax payer's dollar. The example given was when his officers had to attend POST training via zoom from their own office. The use of cell phones in the county vehicle was questioned and it was determined that if the phone was operated hands free through the car speakers then it could

be allowed. This item will be included in the policy and the policy will be discussed further in the next commissioners meeting.

Commissioner Eliason made the motion to move into executive session per IC 74-206 (1)(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent...

Commissioner Christophersen seconded. All commissioners approved and the motion carried.

Water source at the fairgrounds – the county has a limited amount of shares on the deep creek irrigation system and when it is turned off then they must buy the water from the city. They expressed some concern that the road department was using a lot of this water. The road foreman indicated that he has been in communication with the city in hopes of running a three- or four-inch line from the city water line to the equipment yard where they could fill their water truck when needed.

BLM right of way amendment – an amendment for the BLM right of way located at 9000 S. and 36000 West was provided. This amendment will allow the county to widen this intersection from 60 ft. to 100 ft. from the center line of the intersection onto public lands. By enlarging the radius of this intersection, it will better accommodate the truck traffic which is anticipated to increase in the coming months.

Commissioner Christophersen made the motion to approve the BLM right of way amendment for the enlarging of an intersection located at 9000 S. and 36000. West.

Commissioner Eliason seconded. All commissioners approved and the motion carried.

Events center access – There has been much discussion surrounding access to the events center. Mainly who should have access and how many keys should be distributed. The fair board has asked for a key less entry to be installed on the personnel door to their maintenance room at a cost of between \$300.00 and \$400.00 dollars. Commissioner Eliason will visit with the fair board and report back to the other commissioners. Rhonda reported that the sound system had been delivered and programed for the conference room and the arena. Her suggestion was to hang the speakers up permanently and to run the wires in the walls. She also expressed concern about the access roads being in poor condition due to melting snow. She shared ideas of how signage could be used to promote the facility and the commissioners discussed types and styles of signs that could be used and where they could be installed for maximum exposure. It was suggested that the University of Idaho could possibly help with the design as well.

Commissioner Lewis reported that he has spoken with Rondell Skidmore and asked him to serve on the planning and zoning board to represent the western part of the county. he would be filling the position vacated by Russ Boyer who has completed his current term.

Commissioner Lewis made the motion to approve Rondell Skidmore as a member of the Oneida County planning and zoning board.

Commissioner Christophersen seconded. All commissioners approved and the motion carried.

Commissioner Lewis informed the other commissioners that approval had been given to spend \$995.00 dollars for the building inspector to take a course to inspect commercial buildings however they did not approve the expense to take the associated test. The cost to take the test is \$220.00 dollars.

Commissioner Lewis made the motion to approve \$220.00 dollars for the commercial inspector's test.

Commissioners Eliason seconded. All commissioners approved and the motion carried.

Rural economic development of Idaho (REDI) Commissioner Lewis would like to join this organization as he believes it could benefit the county. Commissioner Eliason questioned what the benefits would be and it was explained that they offer information for persons/companies looking to move and would add Oneida County to their listing whereby they could learn about our area and what is available. Commissioner Lewis questioned the future of the four case economic development program and indicated that this would be a good resource for any future improvements.

Commissioner Lewis made the motion to approve \$2,500.00 dollars to become members of REDI.

Commissioner Christophersen seconded. All commissioners approved and the motion carried.

The resolution to open the budget was tabled until next meeting.

30-day review of the part time help in the building inspector's office. Mick reported that the part time help was allowing him to get organized and was appreciative. He did ask if the part time help could be extended longer stating that they could keep busy with all the work coming in. Commissioner Lewis indicated that he would like to see a one-month extension.

Commissioner Christophersen made the motion to extend the part time help for the building inspector by 30-days which will be added to the already approved 60 days.

Commissioner Eliason seconded. All commissioners approved and the motion carried.

Commissioner Lewis suggested that all future commissioner's meetings be moved to the conference room at the events center. The facility is now wired with a sound system and will accommodate a larger crowd.

Commissioner Lewis made the motion to move all future commissioner's meetings to the events center conference room.

Commissioner Christophersen seconded and the motion carried.

Board of guardians – the commissioners from Caribou, Bear Lake and Franklin have shown interest in forming a four-county board of guardians along with Oneida County. They have asked that one commissioner from each county be selected to meet and discuss the options. Commissioner Lewis thought this topic fit in with the Public Health assignment and suggested commissioner Christophersen.

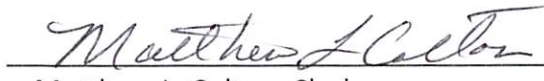
Commissioner Lewis made the motion to appoint Commissioner Christophersen as the county contact to meet with the four-county coalition to discuss a joint board of guardians. Commissioner Eliason seconded. All commissioners approved and the motion carried.

Clerk Colton reported that the State Board of Tax Appeals had responded to the Charles Thurber appeals and that their decision was to uphold the commissioner's decision. It was further reported that Mr. Thurber had sent a "reconsideration" back to the clerk as an appeal to the decision. This "reconsideration" along with a response from the county attorney was sent back to the State Board.

The commissioners were given copies of the remaining budget, five-year revenue history by fund and account along with the operations in funds report for their review. After their review and a short question and answer period with the clerk/budget officer the meeting was adjourned.



Bill Lewis, Chairman



Matthew L. Colton, Clerk