

MEETING AGENDA ONEIDA COUNTY COMMISSIONERS



March 8th, 2021
10 Court Street, Malad, Id. 83252

This meeting will be held at in the Events Center conference room located at
459 S. Main, Malad City, ID. 83252
Participation via telephone is also available. (see information at the bottom of the agenda)

<u>TIME</u>	<u>TOPIC</u>
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9:00	Meeting called to order. Pledge of allegiance and Prayer (by invitation)
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Approve the consent agenda.Action item

- Claims review, meeting minutes for February 22nd, 2021 and a Certification of Residence for Sierra Trent.

Presentations

- Stace Gearhart – Annual Juvenile Justice report.
- Mike Larue – Weed enforcement procedures. Action item
- Kathy Ray – Gem grant application request for the proposed meat processing plant.
..... Action item
- Leigh Love – tax cancellations. Action item
- Building inspector report on February permits issued.

Commissioners topics for discussion and/or decision.

- Proposed resolution and Ordinance regarding sanctuary county for the constitution. Action item
- Approve amended bids for annex remodel. Action item
- Approve bid for second camera in the Events Center conference room. Action item
- MSBT law firm agreement to assist with the Development Code. Action item
- Four county mutual aid agreement. Action item
- City / County meeting on April 14th. Action item
- ADA elevator design plan/bid. Action item
- Hailey Smith six-month review and pay increase. Action item
- Training on open meetings. Presented by ICRMP. Action item
- Continued discussion on travel policy and per diem rates. Action item
- Credit card policy and other budgetary spending topics as needed. Action Item

To participate via telephone dial: 1 253 215 8782 US (Tacoma)
Meeting ID: 930 1848 8709
Pass Code: 210998

MEETING MINUTES OF A REGULAR MEETING BOARD OF ONEIDA COUNTY COMMISSIONERS

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

Commissioner Lewis called for a review of the agenda.

Commissioner Lewis made the motion to remove the claims from the consent agenda and discuss them in the open meeting and to add fairgrounds roads to the agenda for discussion only.

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

Commissioner Christophersen made the motion to approve the consent agenda consisting of the meeting minutes from February 22nd, and one Certificate of residency.

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

Three items on the claim's approval report were discussed. The first item was the payment for the tree trimming at the fairgrounds. The bill was for a total of \$3,650.00 however only \$3,500.00 dollars was approved. Investigation showed that the actual estimate was given verbally and was for an amount between \$3,500.00 and \$4,000.00. Commissioner Lewis wanted to pay the right price for the job that was done however he wanted to honor the first approved amount and suggested discussing the additional \$150.00 in the next meeting.

The second question was in regards to an expense of \$97.00 dollars for pesticide licensing study material for the extension agent. Commissioner Christophersen questioned the expense when Oneida County did not have a current extension agent in place. Commissioner Lewis reminded the commissioners that Franklin County was sending their extension agent to Oneida County one day per week until the position was filled and the need for this information is necessary to continue the operations in our county.

The third item questioned was the expense for monthly software and maintenance with Computer Arts Inc. this bill is \$2,744.90 per month. It was explained that several offices use various software packages with computer arts including financial, recording and payroll in the clerk's office along with civil software in the Sheriff's office and accounting in the Treasurer's office.

Commissioner Christophersen made the motion to approve \$3,500.00 for the tree trimming at the fairgrounds as previously approved and to discuss the additional \$150.00 in the next meeting.

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

Commissioner Eliason made the motion to approve the claims as amended.

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

Stace Gearhart met with the commissioners to share the annual Idaho Department of Juvenile Corrections report. The report was very favorable to the county with arrests being down in calendar year 2020 and juvenile petitions dropping from 12 to one. This was credited to the probation diversion program. Also reported was the overall success rate of probation being at 100% which means that those on probation had completed all of the court/probation requirements placed on them in the allotted amount of time. The diversion program is at a 50% success rate currently.

Weed superintendent Mike Larue reported to the commissioners on problems he is facing in the western part of the county with certain private land owners letting noxious weeds like the thistle grow unchecked on their land. Larue further explained Idaho Code Title 22 Chapter 24 dealing with noxious weed. This section in part explains what actions a county can take to reduce the spread of noxious on private lands. Larue stated that past commissioners have instructed Mike to work with the landowners to mitigate the problem rather than taking some of the more drastic measures outlined in the Idaho Code. Mike stated that he has tried to work with the violators for several years now without much success and he is now receiving an increased number of complaints from the adjacent land owners. Mike made the request that the commissioners allow him to enforce the Idaho Code as it pertains to this issue. Attorney Brower explained the complete process that must be taken including notices sent to the violators informing them of the issues and consequences if they do not comply with the law.

Commissioner Lewis stated that the rights of the adjacent land owners need to be considered and he gave his support to following the code dealing with noxious weeds. Commissioner Eliason said that this is an ongoing problem and that action needs to be taken. It was further suggested that information regarding this issue should be placed on the web site.

Commissioner Lewis made the motion to approve the request to enforce the noxious weed laws as requested by weed superintendent Mike Larue.

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

Kathy Ray is helping with a proposed meat packing facility project in the county and has asked for permission from the county to apply for a \$50,000.00 dollar GEM grant on their behalf. The grant will help upgrade the single-phase power to three phase power. GEM grants have a requirement that a city or county must sponsor the grant and this project is in the county thus the request for approval from the commissioners. It was stated that the grant may be awarded up to \$50,000.00 dollars and that the project owner would pay for all additional expenses. Commissioner Lewis asked if there were any requirements for matching funds. Kathy indicated that any required match would also be covered by the developer.

Commissioner Eliason made the motion to give approval to for the GEM grant application on behalf of the proposed meat processing facility.

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

Treasurer Love updated the commissioners on her resolution to cancel taxes that was approved in the previous meeting. She informed the commissioners that her understanding of what other counties were doing was incorrect and that they had not received prior approval to cancel taxes due to new homeowners' exemptions being applied. They were merely discussions on what could happen. It was suggested that the approval given in the last meeting could be modified to allow for cancellation of penalties and interest under specific conditions yet to be determined by the commissioners if they so choose.

After discussing the issue, it was decided that it would be best to wait for several months in order to get a feel of how the homeowners' exemption will impact the county and to rescind the prior motion from the last meeting.

Commissioner Lewis made the motion to rescind the motion made in the February 22nd whereby allowing the Treasurer the ability to cancel taxes as applied to homeowners' exemptions.

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

Building permit report as given by Commissioner Lewis.

February permits include one addition and two agricultural buildings.

Proposed resolution and ordinance to become a sanctuary county - Commissioner Lewis stated that he has taken the oath of office to uphold the constitutions of the United States and the State of Idaho and that he works continually to live up to these laws and seeks help in ways he can improve. Commissioner Christophersen stated that he believes a lot of what was being asked is a duplicate of what the county already does including a past resolution. He further expressed concern that this group is not accountable to anyone and believes there are underlying motives and for these reasons he was uncomfortable with signing them. Commissioner Eliason stated that he has taken the oath of office on several occasions including the times he has served on the Search and Rescue board and more recently as he took office as a commissioner. He further stated that he believes the constitution to be divinely inspired by God and he takes the oath very seriously and does not think that signing additional papers will make a difference in protecting the citizens any more than by following the constitution that is already in place. He further stated that it should not be construed as a person not believing in the constitution if they don't sign the documents presented in the last meeting. We believe in the constitution and we are trying to follow it as best as possible and we further believe in most everything placed in the proposed documents.

Commissioner Lewis made the motion to review the county ordinances and address them in open meeting to identify their value and compliance with the Constitution of the United States and the State of Idaho. With two or more ordinances per meeting. and to eliminate those without value.

Commissioner Eliason further stated that not all citizens will agree or disagree with the ordinances in place however an ordinance does not become unconstitutional just because someone disagrees. It was also discussed that the ordinances be placed on the new web site for all to read.

Commissioner Lewis amended his motion to include placing the ordinances on the web site as they are verified and retained.

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

Annex building remodel is complete and the bill was submitted for \$5,796.00. this amount was higher than quoted due to additional work that was accomplished such as painting and an additional window.

Commissioner Lewis made the motion to approve the payment of \$5,796.00 for the remodel of the annex building.

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

The electrician also submitted a bill for his portion of the reconstruction and it also came in higher than suggested. While the commissioners were aware of possible additions to the scope of the project, they were not clear on what the additions were.

Commissioner Christophersen made the motion to withhold payment on the electrician's bill and to authorize Commissioner Lewis to investigate the additions in the amount of \$661.07 and if justified to communicate with the clerk for payment.

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

Billy Kimberling submitted a quote of \$1,185.00 for a second camera in the events center conference room. The bid was at the request of the county clerk for the purpose of adding more viewing option in the conference room.

Commissioner Christophersen made the motion to approve the bid for a second camera in the conference room at the events center for \$1,185.00.

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

MSBT Law will be working with the county to help rewrite the Development Code. An agreement for their services has been sent to the commissioners for approval and signature. The cost will be at a rate of \$195.00 per hour for attorneys and \$80.00 per hour for the Paralegal work effort.

Commissioner Eliason made the motion to approve the agreement with MSBT Law for their assistance in helping P&Z rewrite the Development Code.

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

Commissioner Lewis reported that Oneida County has signed a mutual aid agreement with Bear Lake, Caribou and Franklin counties. This agreement provides assistance should one of the counties need emergency assistance. The agreement allows for up to 12 hours of assistance free of any charge. It was explained that in an emergency, having a document already in place saves valuable time and effort in mitigating the damages of the existing emergency. It was recommended that the agreement be renewed pending review. The agreement will be available in the next meeting for review and possible approval.

The Malad City council and County Commissioners have been meeting collectively as a joint economic development group. The next meeting will be held on April 14th, and commissioner Lewis suggested that all commissioners attend.

A committee has been working on obtaining plans for the attachment of an elevator on the east side of the court house. With the plans being close to completion the committee made the decision to seek approval from the Board of Commissioners to send the project out for bid to see if the cost was something the county could afford. It was stated that if the bids were affordable then the county could move forward with the project but if they were too high then all bids could be rejected and the county would know what cost they needed to save for. It was further stated that if the bidding process was delayed then most contractors would already have projects in place and would not be interested a smaller project such as this.

Commissioner Lewis made the motion to move forward with bidding for the elevator project.

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

Hailey Smith has been working for six months in the position of specialty court coordinator and has been given her employee review. Commissioner Lewis indicated that those whom she works with were very satisfied with her work and commissioner Lewis suggested granting the budgeted \$.50 cent raise.

Commissioner Eliason made the motion to approve a \$.50 cent raise to Hailey Smith.

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

Open meeting law – Commissioner Lewis suggested that the county arrange to have ICRMP come to Malad and give some training on open meeting law. The other commissioners were in favor of training and they discussed all of the county boards and other entities that could benefit from such training. They further decided to arrange for the training sometime in April

Commissioner Christophersen made the motion to move forward with the scheduling for ICRMP to come to Malad and train on open meeting law on April 6th at 7:00 pm at the events center.

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

Travel and per diem discussion – The county rates were compared with those from surrounding counties and the state rate. It was found that the state has a set daily rate that is divided up between the individual meals on a percentage basis of 24% for breakfast, 30% for lunch and 46% for dinner. It was suggested that the county adopt a rate structure in similar fashion. Commissioner Lewis indicated that the new rate should not take effect until the next budget year in October due to the current budget already being set under the current per diem rate. The suggested new amounts were \$40.00 dollars per day for instate travel and \$50.00 per day for out of state travel with single meals at the same state percentage rate.

Commissioner Eliason made the motion to increase the per diem rate to \$40.00 dollars per day for instate travel and \$50.00 dollars per day for out of state travel with individual meals being paid on a percentage basis of the full day rate as follows. Breakfast 24%, lunch 30% and dinner 46% and that the increase will be effective on October 1st of 2021.

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

Reimbursement vouchers – In previous meetings commissioner Lewis indicated that he would like to see the county adopt a reimbursement form for employees requesting reimbursement for travel and per diem. Currently they have been using the normal claim form. Examples of what this form could look like was shared with other commissioners. Along with the request for reimbursement the form would be seeking additional information to prove the legitimacy of the request, such as proof that the county car was not available or that the meeting did not provide any meals. It further would include what the actual approved rates for travel and per diem were so the employee did not have to look this information up.

Credit card policy was next on the list for discussion however attorney Brower indicated that his work load has increased and he will not have time to write this policy. The commissioners did continue a discussion regarding credit cards and the county ambulance. The determination was made that the ambulance hours are so varied and random that they may need an exception to allow for their per diem. It was stated that the volunteers for this department must drop whatever they are doing and respond when a call comes in. Those persons on standby can be called out in the middle of the night or during a prepared meal. For this reason, the thought that an exception to the rule may be in order. The exception being that they would be eligible to purchase a meal if they choose, when called out for an extended period of time. The department is very fiscally responsible and does not utilize any property tax or other monetary help from the county. They operate solely on their collections for service.

Commissioner Eliason made the motion to approve a temporary exemption for departments to use alternative methods for charging meals on county credit cards in an amount no greater than the partial per diem rate currently established by the board of commissioners up to the adoption of the new policy and that the Oneida County EMT's will be given an exception from the current policy for their trainings where a small meal may be provided and when they are called out on a run where a meal can then be purchased at the in state partial per diem rate for dinner as currently established by the Oneida County board of commissioners.

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

Roads at the fairgrounds – The main road leading to the events center and the exit road leading back to South Main have become hard to navigate due to the wet conditions of Spring. The commissioner acknowledged

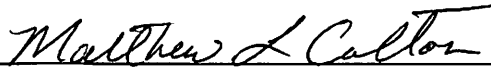
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that something must be done to improve the roads so they don't become impassable. It was thought that a lift of gravel should be brought in at the minimum with a more long-term solution to be sought after, such as asphalt. Commissioner Lewis indicated that landscaping should also be discussed.

The meeting was adjourned.



Bill Lewis, Chairman



Matthew L. Colton, Clerk