FRANKLIN COUNTY
COMMISSIONERS MEETING
JANUARY 8, 2007 – 9:00 AM

PRESENT: Dal Von Atkinson, Richard Westerberg, Dirk Bowles, Todd Garbett, Elliott Larsen.

1. **PLEDGE OF ALLEGIANCE.** Mick Atkinson the only standing member of the Commission present led the pledge of allegiance.

2. **SWEARING IN NEWLY ELECTED OFFICIALS.** The Franklin County elected officials elected during the 2006 General Election were present to be sworn into office. The office, length of service, and person swearing in the officials are listed below.

V. Elliott Larsen	County Clerk	Four year	By Mick Atkinson
R. Dirk Bowles	Commissioner	Four year	By Elliott Larsen
Richard D. Westerberg	Commissioner	Two year	By Elliott Larsen
Richard L. Umbel	Assessor	Four year	By Elliott Larsen
Douglas S. Webb	Coroner	Four year	By Elliott Larsen
Jeanette N. McKay	Treasurer	Four year	By Elliott Larsen

3. **ELECTION OF COMMISSIONER CHAIRMAN.** County Clerk Elliott opened the nomination for Chairman of the Franklin County Commissioners for the 2007 year. Dirk Bowles nominated Richard Westerberg to be the Chairman. No other nominations were received. The vote was unanimous for Richard to be the chairman.

4. **2007 COMMISSIONER ASSIGNMENTS.** The Commissioners assignments for the 2007 year are as follows:

Richard Westerberg Chairman, Dist # 1	**SICOG, Senior Citizens, Waterways, Historical Society, Worm Creek Theater, Law Enforcement, Civil Defense, Handicap Bus, Preston CityLiaison, Search & Rescue, Veterans, Website, LEPC, Magistrate Commission, Road & Bridge, Web Site, Economic Development**
Dal Von Atkinson Dist # 2	**Weed, Weather Modification, Hospital, Buildings, Snowmobile, RC & D, District Health, Board of Guardians, County Aid, Soil Conservation, Juvenile Services, Domestic Violence(Family Services Alliance), Transportation Advisory Committee**
Dirk Bowles Dist # 3	**Fire, Fair, Cannery, Airport, Recreation, Solid Waste, TV Translator, Planning & Zoning, Ambulance, Extension**

5. **COUNTY BOARD AND COMMITTEES.** A listing of the existing committees and boards was presented to the Commissioners. The discussion of appointments will be held at the next commissioners meeting.

6. **COMMISSIONER PROTOCOLS AND PROCEDURES.** The following protocols and procedures were talked about:
   a. **Dress Code.** Look professional – Shirts and tie.
   b. **Cell phones.** Cell phones will be turned off during commissioners meeting.
   c. **Information to commissioners.** Commissioners would like information to commissioners by Friday afternoon.
   d. **Appointment for agenda.** Dirk Bowles made the motion that the Commissioners agenda be cut off by Wednesday before the Monday meetings, Mick Atkinson seconded. All three commissioners voted aye for the motion.
   e. **Chairman the gatekeeper of the agenda.** Dirk Bowles made the motion that the chairman approve all appointments to the agenda, Mick Atkinson seconded. All three commissioned voted aye for the motion.
   f. **Commissioners day additions.** No additions will be allowed on the day of commissioners meeting.
   g. **Motion for all actions.** All actions of the commissioner should be support by a motion.
   h. **Monthly department head meetings.** Department head meetings will be held monthly on the 2nd meeting of the month at 10:00 am.
   i. **Consent and housekeeping agenda items.** Dirk Bowles made the motion that the first matter of business will be consent items which will be approval of minutes, approval of the bills, and budget items; Mick Atkinson seconded. All three commissioners voted aye for the motion.

7. **EXECUTIVE SESSION PROPOSAL.** It was suggested that an executive session be called to talk about the Worm Creek Theater lease. After some discussion, it was decided that an executive session would not be needed.

8. **WORM CREEK THEATER LEASE.** The Commissioners talked about the Worm Creek Theater lease which was prepared by Todd Garbett. Dirk Bowles said that he was in favor of a five-year lease as it was written in the lease. Richard Westerberg said that he felt that a lease should be signed today. All agreed that semi-annual reporting should be made by the Theater Arts Guild.

9. **APPROVAL OF MINUTES.** The minutes of the December 11th and December 20th were presented to the Commissioners. Mick Atkinson suggested a clarification on the accepting of roofing materials at the landfill on item #7 on the December 20th meeting. Mick Atkinson made the motion to accept the minutes with the noted addition, Dirk Bowles seconded, and all three commissioners voted aye in favor of the motion.

10. **APPROVAL OF DECEMBER BILLS.** The bills for the month of December were presented to the Commissioners. Camille Larsen was present to answer questions about the bills. It was determined that the ambulance association pays $580 a month to Groll Fitness Center memberships of their members. Later Mark Gilbert reported that only one-third of his EMT's are using their memberships. Mick Atkinson made the motion to approve the December bills, Dirk Bowles seconded, and all three commissioners voted aye in favor of the motion.

11. **VETERANS MEMORIAL NAMES.** It was mentioned that Saundra Hubbard has collected over 2,700 names for the Veterans Memorial and that the names have been turned over to Darryl Geddes to have them aligned in alphabetical order by all of the names irregardless of the branch of service. The idea identifying those who gave died in active service with asterisk was talked about.

12. **PRESTON CITY – NO WATER JANAURY 11, 2007.** Chuck Sistrunk talked to the Commissioners about all the county buildings being without water from 8:30 am to 2:30 pm on Thursday, January 11th. He said that without water the boiler cannot produce heat. District Court has over 20 cases scheduled for that day which could bring approximately 60 people to the courthouse. District Judge Don Harding was talked to who decided that it would not be possible to hold District Court in the building on that day. After some discussion and deliberation, Dirk Bowles made the motion

that all county offices will be closed all day January 11th with the exception of the road department personnel and the landfill will remain open – in addition department heads will have the option of giving their employees the day off, Mick Atkinson seconded, and all three commissioners voted aye in favor of the motion.

13. **COUNTY BOUNDARY ISSUE WITH TOM BARRON.** Tom Barron met with the Commissioners about the parcel of which is owned by him and the county through a mistake by the title company when the property was deeded to Mr. Barron's wife. The Commissioners and Todd Garbett feel that the title company is responsible to correct the mistake. Tom also talked to the Commissioners about moving the dumpsters across the road which is used by the Cub River Ranches. This issue will be followed up at the next meeting.

14. **EASTERN IDAHO REGIONAL MEDICAL CENTER CONTRACT.** Mick Atkinson made the motion to sign the contract with Eastern Idaho Medical Center for mental evaluations, Dirk Bowles seconded, and all three commissioners voted aye in favor of the motion. The contract was signed by all three Commissioners.

15. **WORM CREEK THEATER LEASE.** Paul Swainston met with the Commissioners and the five-year lease was presented. Paul had some concern that the lease was not automatically renewable. Richard Westerberg said that the Commissioners were in favor of the lease just the way it was written and that they wanted to get it signed today. Paul signed the lease in behalf of the Franklin County Theater/Arts Council. Dirk Bowles made the motion that the lease be signed by Chairman Richard Westerberg along with semi-annual reporting by the Theater/Art Council, Mick Atkinson seconded, and all three commissioners voted aye in favor of the motion. Richard signed the lease agreement.

16. **ATV ORDINANCE 88-1 ENFORCEMENT.** Karen Aust talked to the Commissioners about enforcement of Franklin County Ordinance 88-1 which prohibits dirt bikes, three and four-wheelers all terrain vehicles upon non-paved roadways and camping areas in and around Franklin County waterway lakes and reservoirs. She manages the camping around Twin Lakes. Todd Garbett said that there are some problems with the ordinance since the roads around Twin Lakes are county roads and if they are licensed then they cannot be cited if they are driving on county roads. Another problem is the definition of the engine size does not fit with the present day four-wheeler engines. Todd will examine the ordinance and recommend revising it or of possibly revoking the ordinance altogether. It will be addressed again at the next meeting.

17. **GLENDALE ROAD –ROCKY MOUNTAIN POWER EASEMENT - MURRAY NICHOLS.** Murray Nichols met with the Commissioners and is concerned about the location of a large junction box installed by Rocky Mountain Power which makes it so he cannot access this property across the canal. The only access is across a bridge on a canal and the junction box is very close to the entrance to the bridge. He is also concerned that the power lines are directly over the water line which he had to install and he is wondering if there is a problem with the water line then it could be very dangerous repairing the water line with a high voltage power line directly above it. The Commissioners will talk to Randy Harris from Rocky Mountain Power about the location of the junction box.

18. **COMMISSIONERS MILEAGE.** The mileage reimbursement rate of $.40 a mile was talked about and it was decided that Commissioners should submit mileage requests once a month and that mileage to and from Commissioners meetings will not be reported.

19. **PRINCIPAL RETIREMENT.** Derlin Taylor met with the Commissioners to introduce himself as the representative for the Principal Retirement Plan. He said that the employees earned a double digit return on their retirement funds for the 2006 year. It was learned later that the average was 13.77%. He said that Principal is the #1 sponsor of 401K plans in the United States.

20. **TETON COUNTY DEVELOPMENT FEES.** A document showing the Teton County development fees was given to Dirk Bowles who is over the Planning and Zoning committee.

21. **LAZY RIVER SUBDIVISION – JEFF SNYDER COMMENTS.** A letter from Jeff Snyder was presented where he commented on the road that comes onto 3200 S. in Weston. The intersection is dangerous but Todd Garbett pointed out that the developer cannot be forced to make changes after the preliminary plat has been approved.

22. **ANT HILL ROAD – JEFF SNYDER COMMENTS.** A letter from Jeff Snyder was presented where he made comments about a driveway on a home that enters on an unimproved county road. He suggested that the driveway be changed so that it is entered on the improved county road which also borders the house. Richard Westerberg would like to go with Troy to look at the Ant Hill Road.

23. **FRANKLIN COUNTY GROWTH ISSUES.** The Commissioners would like to discuss county growth issues at the January 22nd commissioners meeting.

24. **AMBULANCE BILLING WRITE OFFS.** Mark Gilbert and David Kerr presented $4,110.00 in uncollectible accounts in the ambulance account receivable and recommended that they be written off. Dirk Bowles made the motion to write off $4,110.00 in uncollectible accounts, Mick Atkinson seconded, and all three commissioners vote aye in favor of the motion.

25. **EXECUTIVE SESSION {¶67-2345(1)(B)}.** Dirk Bowles made the motion to go into executive session with David Kerr and Mark Gilbert to discuss ambulance personnel, Mick Atkinson seconded, and all three commissioners voted aye in favor of the motion.

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26. **PATRONS RIDING IN AMBULANCE.** In open session, no decision was made on a possible raise for the billing secretary. It was mentioned that Julie Sharp had been hired as a part-time secretary. It was decided that anyone riding in the ambulance who is not an EMT should sign a release form.

27. **ROCKY MOUNTAIN POWER – GLENDALE ROAD.** Randy Harris from Rocky Mountain Power met with the Commissioners and said that the power junction box could be moved if the county requested that it be moved.

28. **LANDFILL REPORT.** Doug Wright met with the Commissioners and gave a yearly report of the amounts of garbage collected in each category.
    - **a. Dayton Landfill.** The Dayton landfill has been reseeded. The monitoring wells are being tested by CES at the cost of $12,000 per event. DEQ has signed off on the closure.
    - **b. Riverdale Landfill.** Two wells are being tested annually and four wells every five years.
    - **c. Recycling.** Composting newspapers, composting Christmas trees, 40,000 pounds of cardboard have been collected and is being baled, 128 tons of metal has been collected, 2500 gallons of used oil collected, and 38,000 used tires.
    - **d. Total tons per day collected.** 13,000 tons of solid waste were collected or 43 tons per day, 1,100 roll offs collected, and 1,118 pounds of hazardous waste collected.
    - **e. Billings on new homes.** Dirk Bowles made the motion that new homes should be billed for garbage collection from the time the collection starts, Mick Atkinson seconded, and all three commissioners voted aye in favor of the motion.

29. **ROADS.** Troy Moser talked about the Road Standards. He said that the Standard for Type A was completed and he is working on standards B and C.

30. **AGREEMENT TO RUN WITH THE LAND.** Troy wants a list of all those who have signed an "Agreement to Run with the Land." John Burg might could put together a list from the building permits.

31. **WINTER MAINTENANCE SIGNS.** Troy said that the "Winter Maintenance Only" signs are here.

32. **CUB RIVER IRRIGATION RIGHT OF WAY ALONG COUNTY ROAD.** Dirk Bowles mentioned that he had a complaint from a resident who lives on 400 West between 3200 S. and 3600 S. who said that the Cub River Irrigation line which is being installed is just 28 feet from the center of the road.

33. **SUBDIVISION INSPECTION FEES.** It was confirmed that the road inspection fees for subdivisions should be billed to the county who would then bill the developer.

34. **FRANKLIN COUNTY ACCOUNTS RECEIVABLE.** A list of all the accounts receivable accounts were presented to the Commissioners for their examination. Many of the delinquent accounts are parking lot accounts. The Commissioners will consider what option could be used for collection at a later meeting.

35. **COUNTY FITNESS PLANS.** Elliott Larsen mentioned that a group of employees asked about the county participating in the fees for Weight Watchers. The Commissioners will consider at a later date.

36. **RC&D GRANT.** Mick Atkinson reported that Franklin County will receive a $78,000 grant to be used for disposal of hazardous wastes. The funds have to be used by August 31, 2007.

37. **SMEDLEY PARKING LOT BILL.** Elliott Larsen reported that Glen Smedley came in and wanted the county to forgive his $1,216.74 parking lot bill because he felt it was promised to him when the coffee shack moved to the west side of the parking lot. The Commissioners minutes make no mention of a promise to compensate Glen. The Commissioners will take no action on this at the present time.

38. **WEB SITE SURVEY.** Elliott Larsen presented a survey to be sent to the department heads to help them organize the information for the county web site. The commissioners approved the survey and it was distributed to the department heads.

39. **CLOSURE OF COURTHOUSE JANUARY 11, 2007.** The Commissioners instructed Elliott Larsen to notify the county department heads of the county offices closure on January 11th.

40. **REVISION OF SUBDIVISION ORDINANCE.** It was mentioned that the Franklin County Subdivision Ordinance is in the process of being revised.

41. **CODIFICATION OF COUNTY ORDINANCES.** Todd Garbett mentioned the need to codify the Franklin County Ordinances. It was suggested that all the ordinances should be reviewed before they are codified. Todd and Elliott Larsen will start the process of codifying the ordinances.

42. **POLICY MANUAL AND JOB DESCRIPTIONS.** A Franklin County Policy manual needs to be written which will include policies of the commissioners and all the department heads. Each department head needs to write job descriptions. Both items will be discussed at the department head meeting on January 22nd.

43. **ADJOURNMENT 4:55 – NEXT MEETING JANUARY 22, 2007.** Mick Atkinson made the motion that the meeting be adjourned at 4:55 pm, Dirk Bowles, seconded, and all three commissioners vote aye in favor of the motion.