



# MINUTES OF THE BOARD OF BANNOCK COUNTY COMMISSIONERS

## Meeting Details

Date of Meeting:	Tuesday, January 9, 2024
Commissioners present:	Ernie Moser, Jeff Hough, and John Crowder
Clerk of the Board:	Jason C. Dixon
Absent Board Members:	
Staff present:	Deputy Clerk Nancy Allen, Comptroller Kristi Klauser, Attorney Brian Trammell, and (9:08 AM) Chief of Staff Braeden Clayson

## Agenda Details

AGENDA	
1	<b>Regular Business Meeting (action items)</b> <b>BOARD OF COMMISSIONERS</b> MEETING CALL TO ORDER, AGENDA CHANGES & AGENDA APPROVAL (action item)
2	<ul style="list-style-type: none"> <li>• Indigent Business may require an Executive Session pursuant to Idaho Code §74-206(1)(d) to consider records exempt from public disclosure (action item)</li> </ul>
3	<ul style="list-style-type: none"> <li>• Josh Ellis, requesting a decision on Ellis Estates (requested 10 minutes) (action item)</li> </ul>
4	<b>RESOLUTIONS AND ORDINANCES (action items):</b> Resolution 2024-1 Approving Tax Cancellation Requests Resolution 2024-2 Approving December 2023 Salaries Resolution 2024-3 Approving December 2023 Alcohol Licenses Resolution 2024-4 Authorization to Dispose Surplus Assets/Property
5	<b>SIGNATURE ONLY (action items):</b> Tax Cancellation Request Change to Bannock County Accounting/Event Center Policy
6	<b>CONSENT AGENDA (action items):</b> <ul style="list-style-type: none"> <li>• Manual Checks</li> <li>• Alcohol Licenses and Catering Permits</li> <li>• Certificate of Residency Approval</li> <li>• Salary Rate Approval Forms/Notice of Separation with Potential Executive Session under Idaho Code §74-206(1)(a)&amp;(b) regarding personnel with potential action following adjournment of Executive Session</li> <li>• Technology Forms</li> <li>• Minutes:</li> </ul>
7	Executive Session under Idaho Code §74-206(1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement with potential action following adjournment of Executive Session (action item)
8	<del>Board of Equalization – Subroll and Occupancy (action item)</del>
9	Meeting to discuss property taxes under Idaho Code §63-711 (action item)

## Meeting Notes

- 1 8:59 AM Moser called the meeting to order and reviewed there is no indigent business and the 10:30 a.m. BOE is cancelled as no one applied.
- 2 No business.
- 3 8:59 AM Assistant Planning Director Tristan Bourquin, Planner Alisse Foster, and Josh Ellis appeared. Bourquin reported there are a handful of permits that could have the same issue. Hough reviewed at time of application there was ambiguity between the offices on interpretations of open space, decisions that were made that were not communicated properly throughout all applications at that point in time. In going back and reviewing Mr. Ellis's file and some notes in the file, the appeal and request are understandable. Hough moved to approve the request by Josh Ellis to submit a new subdivision application starting at the predevelopment (amended below) with the open space to be with the individual lots; all other ordinance requirements must be met; and amend the original decision to allow open space within the individual lots when one of the following conditions have been met: 1) the concept plan application was submitted prior to April 21, 2022, and/or Planning and Development staff have made a written decision of approval proposing open space within the individual lots or parcels as part of the subdivision application with the written decision prior to April 21, 2022; and that this decision is based on the ambiguity surrounding the previous open space discussion.  
  
Discussion ensued on the process going forward, timelines, cost, notification, and roads. Dixon expressed frustration on making someone go through every step and process again. 9:06 AM Changes made to lots were reviewed based off county staff suggestions. The application history, condensing time, fees, public hearings, open space conflicts, and timelines were reviewed. 9:15 AM Trammell reported that following ordinance requires another public hearing and comments if there is more than a 10% change, but he will research to see if there is another way. Hough amended his motion to waive fees going forward and start at concept or legal recommendation. The motion passed.
- 4 9:17 AM Moser reviewed the resolutions. Hough moved to approve Resolution Nos. 2024-1, 2, 3, and 4. The motion passed.
- 5 9:19 AM Hough moved to approve the tax cancellation requests. The motion passed.  
9:20 AM Moser reviewed the policy change. Hough moved to approve the change in the accounting policy for the Event Center regarding alcohol. The motion passed.
- 6 There were no consent agenda items.
- 7 9:21 AM Hough moved to enter into executive session under Idaho Code §74-206(1)(f) to communicate with legal counsel. The motion passed by roll call vote. Kiel Burmester appeared.  
9:38 AM Hough moved to exit executive session. The motion passed.
- 8 Cancelled.
- 9 10:59 AM Moser called the meeting to order. Management Assistant Kristi Davenport, Chief Deputy Treasurer Misty Katsilometes and Deputy Treasurer Katy Valentine were present.

11:00 AM David and Debby Dix - Parcel RPRPLES008100

David Dix appeared and shared his wife was previously in the hospital. He thought he filled out circuit breaker application and they are on a fixed income. Dix requested help or relief for the 2023 taxes. Moser relayed it is tough giving people breaks as it falls to all the others. The history was reviewed and this is the first time he has ever been in. Katsilometes reported they have had the circuit breaker since 2014 and have always paid the remaining landfill fee on time, every year. Hough moved, given the circumstances and history, to waive the outstanding taxes except for the landfill fee. The motion passed.

11:05 AM Brian Murdock (Garbri LLC) - Parcel RPR3803015900

Brian Murdock appeared and disclosed the Board helped him a few years ago and he has been three years delinquent ever since he bought the house. He shared some medical issues and that he has not been

working. He hopes to avoid further fees and will get back to work. Moser pointed out the speech from the previous application. The records show a break was given in 2008 and 2022, wherein all the 2018 taxes were cancelled. He explained that giving a break multiple times makes it hard to forgive. Katsilometes reported that tax deed is starting today and fees will be added. The payment history was reviewed and he currently owes \$2,639.73 for all four years. Murdock thinks he can get it caught up this year, possibly by July, and wants to avoid the additional costs. Katsilometes reiterated the 2020 taxes of \$625.83 plus tax deed fees of over \$200 will need to be paid by May 1 to avoid tax deed. Hough moved to grant until May 1 to pay the 2020 taxes and fee waivers will be considered at another meeting after payment, and that tax deed process will begin. The motion passed.

Loni Jenkins - Parcel RPRPPFV010600

Vydedia Turner Parcel RPR4223000806

11:16 AM The applicants were not present. The Board will not consider the applications without their presence. Katsilometes reported that Turner is going into tax deed. Moser moved to leave Turner and Jenkins without any changes until they appear. The motion passed.

## Action Item Summary

ACTION/DIRECTION	ASSIGNED TO
Approved Ellis Estates for new subdivision application, starting at concept or legal recommendation, and amending original open space decision.	Planning/Legal
Approved Resolutions Nos. 2024-1 Approving Tax Cancellation Requests; 2024-2 Approving December 2023 Salaries; 2024-3 Approving December 2023 Alcohol Licenses; and 2024-4 Authorization to Dispose Surplus Assets/Property.	Staff/Clerk
Approved tax cancellation requests.	Assessor/Treasurer
Approved accounting policy change for Event Center.	Auditing
Approved entry/exit executive session – legal discussion.	Clerk
Approved waiving outstanding taxes for parcel RPRPLES008100 due to hardship.	Treasurer
Approved fee waiver consideration if 2020 taxes paid by May 1 for parcel RPR3803015900.	Treasurer
Tabled hardship applications for parcels RPRPPFV010600 and RPR4223000806 to await owner contact.	Treasurer/Staff

**RESOLUTION**

WHEREAS, requests for cancellation of taxes were considered on December 28, 2023; and

WHEREAS, these cancellation requests have been reviewed pursuant to Idaho Code §§63-711, 63-1302, 63-1303 and 63-1304;

NOW, THEREFORE, BE IT RESOLVED that the County Tax Collector, Jennifer Clark, is hereby authorized and directed to cancel the following on the tax rolls as listed by year:

- (1) At the request of Assessor Anita Hymas, in a letter dated December 13, 2023, for cancellation of **market value** for the **2023** tax year.

PARCEL NO.	OWNER	EXPLANATION	VALUE TO BE CANCELLED
RPR4227003604	Intermountain Vispassana Assoc	Non-profit agency	\$100,000.00
RPR4227003300	Intermountain Vispassana Assoc	Non-profit agency	\$100,000.00
RPRCCY4000200	Satchwell, Tony	House fire	\$31,326.00
RPRPCPP085501	East Side Surprise	Pre-BOE changes did not transfer	\$125,589.00
RPRPOAK000400	Morse, Teresa L	Allowed full HO exemption	\$8,572.00
RPRPPOC241300	Christ's Love Vineyard Church	Non-profit agency	\$100,000.00

BOARD OF BANNOCK COUNTY COMMISSIONERS

  
Ernie Moser, Chairman

  
Jeff Hough, Member

  
John Crowder, Member

ATTEST:   
Jason C. Dixon, Clerk

In the Matter of APPROVING )  
DECEMBER 2023 ALCOHOL LICENSES )

R.S. No. 2024-2  
January 9, 2024

**RESOLUTION**

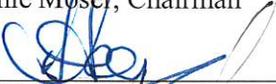
WHEREAS, in the month of December 2023, the following have applied for the following licenses and have been issued permits by the District Health Department and do not have any disqualifications;

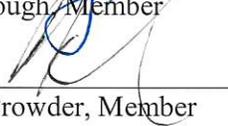
NOW, THEREFORE, BE IT RESOLVED that the following applications for licenses/permits be approved.

DATE APPROVED	LIC #	TOTAL	OWNER	DBA/Event
12/12/2023	ABL2023-182	\$300.00	Kingpot Pocatello	Kingpot Korean BBQ & Hot Pot

BOARD OF BANNOCK COUNTY COMMISSIONERS

  
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Ernie Moser, Chairman

  
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Jeff Hough, Member

  
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John Crowder, Member

ATTEST:

  
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Jason C. Dixon, Clerk

**RESOLUTION**

WHEREAS, salary approval forms, for the month of December 2023, have been submitted for approval by the Board of County Commissioners;

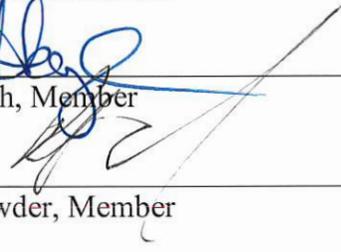
NOW, THEREFORE, BE IT RESOLVED that the following salaries are approved by the Board:

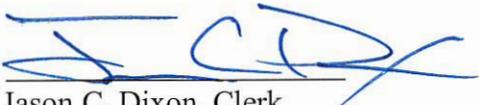
<b>Date Approved</b>	<b>Name – Reason for Change Department – Position</b>	<b>Salary &amp; Effective Date</b>
12/05/2023	Hallie Gunter – Replacing Elizabeth Chavez Sheriff – Driver’s License Technician	\$17.73/hr 12/16/2023
12/07/2023	Jonathan Hoxit – Maintenance – Facilities Operations Specialist	\$25.03/hr 12/11/2023
12/07/2023	Kelly Murdock – Replacing Marissa Siemon Road & Bridge - Mechanic I	\$21.88/hr 12/18/2023
12/07/2023	Lance Fiscus – Replacing Dustin Mark Road & Bridge – Assistant Operation Manager	\$25.03/hr 12/18/2023
12/07/2023	Carson Thompson – Job title correction Solid Waste – Mechanic 3	\$25.38/hr
09/21/2023 Amended	John Walz GIS – PT GIS Technician	\$19.38/hr 10/02/2023
11/09/2023 Amended	Cynthia Serrano – Replacing Brandi Bruce Clerk – Sr. Admin Asst/Deputy Clerk/Juvenile	\$16.70/hr 11/20/2023
12/19/2023	Lauri Evans – Replacing Samantha Averett D6 Treatment – Treatment Counselor	\$21.88/hr 01/08/2024
12/19/2023	Ben Warth – On call Juvenile Detention – On call Juvenile Detention Deputy	\$19.11/hr 01/02/2024
12/19/2023	Monica Bansal – Replacing Amy Lavin Prosecutor – Staff Attorney	\$2,726.40/biweekly 01/16/2024
12/21/2023	Stephan Gordon II – Replacing Gary Gunnell Jail – Deputy Detention Division	\$21.88/hr 01/08/2024
12/21/2023	Cameron Pead – Completed POST Jail – Deputy Detention Division	\$22.18/hr 01/30/2024
12/21/2023	Kobe Lusk – Completed Introductory Jail – Deputy Detention Division	\$22.18/hr 01/03/2024
12/28/2023	Alex Wallis – Replacing Lance Fiscus Road & Bridge – Sr. Equipment Operator	\$20.73/hr 01/06/2024
12/28/2023	Penelope North-Shaul – New hire Conflict Public Defense – Conflict Public Defender	\$3,726.40/biweekly 01/02/2024

BOARD OF BANNOCK COUNTY COMMISSIONERS

  
\_\_\_\_\_  
Ernie Moser, Chairman

  
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Jeff Hough, Member

  
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John Crowder, Member

ATTEST:   
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Jason C. Dixon, Clerk

**RESOLUTION**

WHEREAS, Idaho Code §§31-807 and 31-808 vest the power and authority to manage real and personal property for the benefit of the County with the Board of County Commissioners; and

WHEREAS, Idaho Code §31-829 provides that whenever any elected official has any personal property belonging to the county under his/her jurisdiction or control which, in his/her judgment, is of no further use to the county, he/she may, with the consent of the Board of County Commissioners, dispose of the property through sale or other means; and

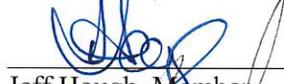
WHEREAS, the following assets/property from the HR Office are of no further use to the County:

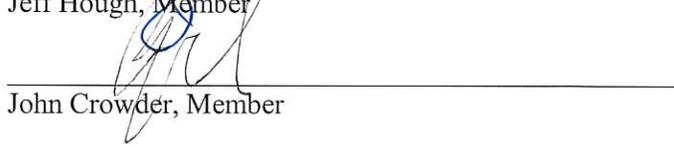
Quantity	Description	Model Number	County Asset Number
4	Revolving File Cabinets	None	None

NOW THEREFORE, IT IS HEREBY RESOLVED that the assets/property listed above are hereby declared to be surplus property and can be disposed of by having them recycled.

BOARD OF BANNOCK COUNTY COMMISSIONERS

  
Ernie Moser, Chair

  
Jeff Hough, Member

  
John Crowder, Member

ATTEST:

  
Jason C. Dixon, Clerk