

**COMMISSIONERS MINUTES**

**OCTOBER 10, 2012**

The Elmore County Commissioners met in regular session on the above date in the Commissioners Room, basement of the Elmore County Courthouse, 150 South 4<sup>th</sup> East, Mountain Home, Idaho.

Present at the meeting were Chairman Arlie Shaw and Commissioner Wes Wootan. Also present were Civil Attorney Buzz Grant, Clerk Barbara Steele and Deputy Clerk Shelley Hooper. Commissioner Al Hofer was absent from the meeting.

Allen Kiester, Pine EMS and Lesia Knowlton appeared to discuss the Pine Volunteer Supervisor position. Mr. Kiester stated they are currently without a volunteer supervisor and Ms. Knowlton would be a good candidate to fill the position. Chairman Shaw explained that the Board has discussed with Elmore Medical Center to have them oversee the Pine EMS operations. Mr. Kiester reviewed the protocol which needs to be followed and someone needs to be in charge of making sure that is happening. Ms. Knowlton has already been working with the Pine EMS for about ten years. She stated there are very few volunteers that live in the Pine area and most volunteers come from out of town and stay a few days to cover shifts. The Pine EMS being its own corporation was discussed. Mr. Kiester stated it is important to get a supervisor in place as soon as possible to get the day to day operations going again. Discussion followed.

Motion by Wootan, second by Shaw, to appoint Lesia Knowlton, assisted by Allen Kiester to perform administrative duties of the Pine EMS.

**SHAW ..... -AYE**

**HOFER ..... -ABSENT**

**WOOTAN..... -AYE**

**Motion carried and so ordered.**

A member of the public suggested hiring an Emergency Services Coordinator for Elmore County who can oversee emergency services county wide and then suggested Alan Roberts for the position.

Alan Roberts, Extrication Department, appeared to discuss the Pine Joint Ambulance Shed and Sheriff’s Sub Station. He has found that there is no room for the rescue truck to park in the garage, since there are two Pine ambulances already parked in there. The rescue truck cannot be parked outside through the winter, and is now being housed in Mountain Home. Currently, there is not enough ambulance staff to man two ambulances in Pine, so Mr. Roberts suggested housing one ambulance in Mountain Home so there is room for the rescue truck in the Pine building. Discussion followed.

Motion by Wootan, second by Shaw, to approve the minutes for September 24, 2012 and September 28, 2012.

**SHAW ..... -AYE**

**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

Motion by Wootan, second by Shaw, to approve the Expenses in the amount of \$398,945.56.  
Discussion followed and clarification will be made on those bills discussed.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

Motion by Shaw, second by Wootan, to approve the payroll for September 2012 in the amount of \$379,299.97.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

Motion by Shaw, second by Wootan, to approve the Ambulance District Expenses in the amount of \$1,623.04, Norco - \$73.04 and Katherine Baldwin - \$1,550.00.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

Motion by Shaw, second by Wootan, to approve the Pest Abatement District Expenses in the amount of \$1,105.79, Centurylink - \$37.73, Elmore County - \$1,031.13 and Mir M. Seyedbagheri - \$36.93.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

Motion by Shaw, second by Wootan, to approve Recorder's Office Report, Clerk's Bail Bond Report and the Treasurer's Office Report for the record only.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

Motion by Wootan, second by Shaw, to approve the Tax Cancellation No. 1176 - Joe and Carla Bradley, c/o Penny Riggs and Scott Riggs for \$97.24, No. 1177 – James Warburton III for \$149.06, No. 1178 – D.B. Phillips for \$5.02, No. 1179 – John and Linda Smith for \$62.10, No. 1180 – Elmore County for \$935.37, No. 1181 – Elmore County for \$287.96, and No. 1182 – Lottie Sarafin for \$1,830.44.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**

**WOOTAN..... -AYE** **Motion carried and so ordered.**

Motion by Shaw, second by Wootan, to approve the Liquor License for Shiok, LLC, Shiok Restaurant.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

Motion by Wootan, second by Shaw, to approve and sign the Non-renewal of Agreement letter to Katherine Baldwin.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

Motion by Shaw, second by Wootan, to approve the Catering Permit for Stew’s Place for the Chamber of Commerce in Glens Ferry on October 13, 2012.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

Motion by Shaw, second by Wootan, to approve Resolution No. 500-12, Ninth Extension of Declaration of Disaster Emergency.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

**ELMORE COUNTY**  
**NINETH EXTENSION OF DECLARATION OF LOCAL DISASTER EMERGENCY**

**RESOLUTION NO. 500-12**

**AT A MEETING OF THE BOARD OF ELMORE COUNTY (the “County”) COMMISSIONERS (the “Board”), STATE OF IDAHO, ON THE 10th<sup>TH</sup> DAY OF OCTOBER 2012, THE FOLLOWING RESOLUTION WAS UNANIMOUSLY ADOPTED, TO WIT;**

**WHEREAS,** the Board, on August 9, 2012, passed Resolution No. 481-12 (“Initial Declaration”) declaring a state of local disaster emergency regarding the wild fire located in the County, referred to as the Trinity Ridge Fire; and

**WHEREAS**, the declaration of local disaster emergency under Idaho Code is §46-1011(1), is limited in duration to seven days unless it is continued or renewed for a period in excess of seven days with the consent of the governing board of the political subdivision; and

**WHEREAS**, the Initial Declaration ran from August 9, 2012 through August 16, 2012; and

**WHEREAS**, the Board, on August 13, 2012, passed Resolution No. 483-12 (“First Extension”) extending the declaration of local disaster from August 16, 2012 through August 23, 2012; and

**WHEREAS**, the Board, on August 20, 2012, passed Resolution No. 485-12 (“Second Extension”) extending the declaration of local disaster from August 23, 2012 through August 30, 2012; and

**WHEREAS**, the Board on August 27, 2012, passed Resolution No. 486-12 (“Third Extension”) extending the declaration of local disaster from August 30, 2012 through September 6, 2012; and

**WHEREAS**, the Board on September 6, 2012, passed Resolution No. 490-12 (“Fourth Extension”) extending the declaration of local disaster from September 6, 2012 through September 13, 2012; and

**WHEREAS**, the Board on September 10, 2012, passed Resolution No. 491-12 (“Fifth Extension”) extending the declaration of local disaster from September 13, 2012 through September 20, 2012; and

**WHEREAS**, the Board on September 17, 2012, passed Resolution No. 493-12 (“Sixth Extension”) extending the declaration of local disaster from September 20, 2012 through September 27, 2012; and

**WHEREAS**, the Board on September 24, 2012, passed Resolution No. 494-12 (“Seventh Extension”) extending the declaration of local disaster from September 27, 2012 through October 4, 2012; and

**WHEREAS**, the Board on September 24, 2012, passed Resolution No. 495-12 (“Eighth Extension”) extending the declaration of local disaster from October 4, 2012 through October 11, 2012; and

**WHEREAS**, the Board desires to extend the declaration of local disaster emergency from October 11, 2012 through October 18, 2012; and

**WHEREAS**, the Board, pursuant to Idaho Code §46-1011, has the authority to declare a state of local disaster emergency regarding the County; and

**WHEREAS**, the Board has determined that the wild fire located in the County, commonly known and referred to as the Trinity Ridge Fire, is a local disaster emergency; and

**WHEREAS**, a local disaster emergency exists in the County and the County requires state emergency assistance to supplement local efforts to protect life and property and to activate the response and recovery aspects of any and all applicable local or intergovernmental disaster emergency plans and to authorize the furnishing of aid and assistance thereunder; and

**WHEREAS**, the Board requests that the Governor of the State of Idaho, together with the other appropriate state officials, along with other appropriate federal officials, to make such declarations, and provide such assistance within County as required and allowed by law.

**NOW, THEREFORE, BE IT RESOLVED**, that Elmore County Board of Commissioners does hereby declare, pursuant to Idaho Code §46-1011, that a local disaster emergency exists in Elmore County, Idaho; and

**BE IT FURTHER RESOLVED**, that the Governor of the State of Idaho be advised of this local disaster emergency and is requested to take all action available for the amelioration of the above described local disaster emergency; and

**BE IT FURTHER RESOLVED**, that the Elmore County Recorder be directed to properly file this Resolution pursuant to Idaho Code Section 46-1011 and that the Elmore County Clerk provide prompt and general publicity of this declaration.

**BE IT FURTHER RESOLVED** , that this Resolution shall remain in effect for seven days, unless it is extended by the Elmore County Board of Commissioners.

Approved as a Resolution of the Elmore County Board of Commissioners effective on this 10<sup>th</sup> day of October 2012.

**ELMORE COUNTY COMMISSIONERS**

**/S/ ARLEN O. SHAW, Chairman**

**/S/ WESLEY R. WOOTAN, Commissioner**

**ATTEST: /S/ BARBARA STEELE, Clerk**

A short recess was taken.

Regular session resumed.

Dewey Crane, of Snake River Rubbish, appeared to discuss the King Hill and Hammett transfer sites. Mr. Crane would like to change the set up of the sites so they can use front end loader trucks. At the King Hill site, he would like to take down the west fence and add it to the south edge of the east fence to accommodate dumpsters. At the Hammett site, he would like to take the west fence down and add half of that fence to the south fence and the other half to the north fence to accommodate trucks unloading. If the changes do not work, he will move all of the fencing back to the original spots and all of the work will be done at his expense. The Board agreed to the changes. The Glens Ferry site was also discussed. Chairman Shaw was concerned about what was going in and out of the site with no one there monitoring the site. Mr. Crane stated he can have a man there and have another man go to King Hill and Hammett on opposite days to monitor those sites. The Atlanta trash pick-up was also discussed. Mr. Crane would like to make a pick-up every six weeks from December through March and go back to weekly pick-ups the rest of the year, due to the small amounts of trash during the winter months.

Motion by Wootan, second by Shaw, to approve and sign the Intermountain Facility Agreement between Elmore County and BHC Intermountain Hospital, Inc. d/b/a Intermountain Hospital.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

Motion by Shaw, second by Wootan, to approve the Certificates of Residency for Levi Thomas Abrahamson, Madison Ane Batchelor, Deena Vi Bauman, Michael Raymond Rodgers and Morgan Sierra Viviar.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

Motion by Shaw, second by Wootan, to approve Resolution No. 498-12, Transfer of Funds from PILT to Indigent/Pension.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

**RESOLUTION NO. 498-12**

**A RESOLUTION AMENDING THE BUDGET OF THE ELMORE COUNTY GOVERNMENT TO PROVIDE CONTINUING FUNDING AND ADJUST FOR CHANGES IN SPENDING PRIORITIES.**

**WHEREAS**, The Board of Commissioners of Elmore County have the authority and duty under Article XVIII, Section 6 of the Idaho Constitution and Title 31, Chapter 6 of the Idaho Code to provide funding operations of the Government of Elmore County for expenditure of those funds; and

**WHEREAS**, The Board considered this adjustment to the 2012 County budget during its regular meeting on October 10, 2012, and the need to amend the County budget has been satisfactorily demonstrated to the Board of Commissioners.

**IT IS HEREBY RESOLVED:**

1. That \$20,000.00 from line item 138.338.00.099.00 PILT, be transferred to line item 122.322.00.098.00 Indigent/Pension.
2. That this resolution shall be effective September 28, 2012.

**PASSED**, at a regular meeting of the Elmore County Board of Commissioners in the County of Elmore, State of Idaho, held on the 10th day of October, 2012, upon which roll call vote was duly taken and said Resolution duly passed by a unanimous vote.

**ELMORE COUNTY COMMISSIONERS**

**/S/ ARLEN O. SHAW, Chairman**

**/S/ WESLEY R. WOOTAN, Commissioner**

**ATTEST: /S/ BARBARA STEELE, Clerk**

The Mountain Home Air Force Base F-35 Resolution supporting the operational basing was discussed.

Motion by Shaw, second by Wootan, to approve and sign the Amendment to the Exacutrack Service Agreement for Juvenile Probation.

**SHAW ..... -AYE**

**HOFER ..... -ABSENT**

**WOOTAN..... -AYE**

**Motion carried and so ordered.**

The Idaho Counties Risk Management Program (ICRMP) Insurance Policy annual renewal was handed out to be reviewed by the Board.

The publication for the Requests for Bids for Jail Food Providers was reviewed.

Motion by Shaw, second by Wootan, to go into Executive Session pursuant to I.C. 67-2345(d) – 31-874 to hold a Hearing of Reconsideration on case K-05-12-04. Roll call vote was taken.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

A Hearing of Reconsideration was held on case K-05-12-04. Present at the meeting were Chairman Arlie Shaw, Commissioner Wes Wootan, Civil Attorney Buzz Grant, Clerk Barbara Steele, Deputy Clerk Shelley Hooper and Social Services Director Marianne Bate. Attorney Michael Hague, representing Elmore Medical Center was present via speaker phone. Questions were asked and answered and the hearing was closed.

Regular session resumed. The following decision was made as a result of the Executive Session:

K-05-12-04 Motion by Shaw, second by Wootan, to take the case under advisement.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

Motion by Shaw, second by Wootan, to go into Executive Session pursuant to I.C. 67-2345(d) – 31-874 to discuss indigent applications. Roll call vote was taken.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

Regular session resumed. The following decisions were made as a result of the Executive Session:

K-08-12-08 Motion by Shaw, second by Wootan, to sign the amended approval to add revisiting the applicant’s income in March of 2013.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

K-08-12-12 Motion by Shaw, second by Wootan, to deny as applicant has discretionary income to pay the bills over five years and is not indigent under Idaho Code.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

K-08-12-13 Motion by Shaw, second by Wootan, to approve and add to the application dated July 23, 2012, that has already been approved by CAT.

**SHAW** ..... -**AYE**

**HOFER** ..... -**ABSENT**

**WOOTAN**..... -**AYE**

**Motion carried and so ordered.**

K-08-12-14 Motion by Wootan, second by Shaw, to deny and obtain a medical review to determine if treatment was medically necessary as applicant elected to wait to have surgery with a surgeon of choice.

**SHAW** ..... -**AYE**

**HOFER** ..... -**ABSENT**

**WOOTAN**..... -**AYE**

**Motion carried and so ordered.**

K-09-12-10 Motion by Wootan, second by Shaw, to deny as failure to cooperate. Unable to determine eligibility as applicant failed to appear at appointment.

**SHAW** ..... -**AYE**

**HOFER** ..... -**ABSENT**

**WOOTAN**..... -**AYE**

**Motion carried and so ordered.**

Motion by Shaw, second by Wootan, to add to the agenda and discuss the ICE Training.

**SHAW** ..... -**AYE**

**HOFER** ..... -**ABSENT**

**WOOTAN**..... -**AYE**

**Motion carried and so ordered.**

The ICE Training will be held November 12<sup>th</sup> and 13<sup>th</sup>, 2012 in Twin Falls.

Holiday time off was discussed. The county offices will need to be open and staffed on the day after Thanksgiving, Christmas Eve and New Year’s Eve. It was decided that each Department Head or Elected Official will give their employees the choice of one of those days off.

Motion by Shaw, second by Wootan, to leave to the discretion of the Department Heads or Elected Officials to give each employee the choice of one holiday day off.

**SHAW** ..... -**AYE**

**HOFER** ..... -**ABSENT**

**WOOTAN**..... -**AYE**

**Motion carried and so ordered.**

Community Block Grants available through the Department of Commerce were discussed.

Motion by Shaw, second by Wootan, to adjourn for lunch.

**SHAW** ..... -**AYE**

**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE**

**Motion carried and so ordered.**

Regular session resumed.

The Building Inspection Service Agreement between Owyhee County and Elmore County was discussed. Owyhee County asked if our building inspector can cover inspections in the Bruneau/Grandview. Attorney Grant reviewed the contract, including mileage fees and compensation for the inspector.

Commissioner Wootan discussed county owed land surrounding the Bennett Road Landfill and the possibility of leasing out the land for dry grazing or raising crops. Attorney Grant reviewed provisions if the county were to lease out the land.

Motion by Wootan, second by Shaw, to approve and sign the Building Inspection Services Agreement between Owyhee County and Elmore County.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE**

**Motion carried and so ordered.**

Alan Christy, Growth & Development Director, appeared to review renewals of the Professional Services Agreements for his department.

Motion by Shaw, second by Wootan, to approve and sign the Professional Services Agreements for County Biologist, County Planner, County Engineer and County Surveyor.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE**

**Motion carried and so ordered.**

Attorney Grant met with Wayne Denny, Idaho EMS Bureau regarding county ambulance operations. M. Denny would like to see some centralization of management of EMS services in Elmore County. They also discussed liability issues and Attorney Grant is following up with Idaho Counties Risk Management Program (ICRMP) regarding insurance coverage for EMS workers.

Misdemeanor probation wages were discussed.

Motion by Wootan, second by Shaw, to approve the wage increase for a Misdemeanor Probation Officer.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**

**WOOTAN..... -AYE** **Motion carried and so ordered.**

Motion by Shaw, second by Wootan, to approve and sign the Trinity Ridge Fire Road Block Crew Workers Contracts.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

Motion by Shaw, second by Wootan, to sign the Rejection of Coverage under the Terrorism Risk Insurance Act.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

Motion by Shaw, second by Wootan, to approve and sign the Second Amendment to the Elmore County Landfill Mitigation Agreement.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

Motion by Shaw, second by Wootan, to go into Executive Session under I.C. 67-2345(f) to discuss pending litigation. Roll call vote was taken.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

Regular session resumed. No decision was made as a result of the Executive Session.

Motion by Shaw, second by Wootan, to adjourn.

**SHAW ..... -AYE**  
**HOFER ..... -ABSENT**  
**WOOTAN..... -AYE** **Motion carried and so ordered.**

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**ARLEN O. SHAW, Chairman**

**ATTEST:**

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**BARBARA STEELE, Clerk**