

COMMISSIONERS MINUTES

OCTOBER 22, 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 4th East, Mountain Home, Idaho.

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

Traci LeFever, E911 Coordinator, appeared to review the Amendment to the Centurylink Upgrade Contract. The price of the contract will be reduced by \$836.46.

Motion by Shaw, second by Wootan, to approve and sign the Amendment to the Centurylink Upgrade Contract.

SHAW -AYE
HOFER -AYE
WOOTAN..... -AYE

Motion carried and so ordered.

Motion by Shaw, second by Wootan, to approve the minutes for October 10, 2012 and October 15, 2012.

SHAW -AYE
HOFER -AYE
WOOTAN..... -AYE

Motion carried and so ordered.

Motion by Shaw, second by Hofer, to approve the expenses in the amount of \$253,065.69. Discussion followed.

SHAW -AYE
HOFER -AYE
WOOTAN..... -AYE

Motion carried and so ordered.

Motion by Shaw, second by Hofer, to approve Resolution No. 503-12 Eleventh Extension of Declaration of Local Disaster Emergency.

SHAW -AYE
HOFER -AYE
WOOTAN..... -AYE

Motion carried and so ordered.

ELMORE COUNTY
ELEVENTH EXTENSION OF DECLARATION OF LOCAL DISASTER EMERGENCY

RESOLUTION NO. 503-12

AT A MEETING OF THE BOARD OF ELMORE COUNTY (the “County”) COMMISSIONERS (the “Board”), STATE OF IDAHO, ON THE 22nd 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 on October 10, 2012, passed Resolution No. 500-12 (“Ninth Extension”) extending the declaration of local disaster from October 11, 2012 through October 18, 2012; and

WHEREAS, the Board on October 15, 2012, passed Resolution No. 501-12 (“Tenth Extension”) extending the declaration of local disaster from October 18, 2012 through October 25, 2012; and

WHEREAS, the Board desires to extend the declaration of local disaster emergency from October 25, 2012 through November 1, 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 22ndth day of October 2012.

ELMORE COUNTY COMMISSIONERS

/S/ ARLEN O. SHAW, Chairman

/S/ ALBERT HOFER, Commissioner

/S/ WESLEY R. WOOTAN, Commissioner

ATTEST: /S/ BARBARA STEELE, Clerk

Motion by Wootan, second by Shaw, to add to the agenda and discuss the Burn Ban.

SHAW -AYE

HOFER -AYE

WOOTAN..... -AYE

Motion carried and so ordered.

Motion by Shaw, second by Hofer, to approve the Certificates of Residency for Jaimie Kaitlynn Bonorato, Gina L. Gentry and Austin Grant Seegrist.

SHAW -AYE

HOFER -AYE

WOOTAN..... -AYE

Motion carried and so ordered.

Motion by Wootan, second by Hofer, to approve Resolution No. 502-12 Sheriff's Department Fee Increases.

SHAW -AYE

HOFER -AYE

WOOTAN..... -AYE

Motion carried and so ordered.

RESOLUTION NO. 502-12

AT A MEETING OF THE BOARD OF ELMORE COUNTY COMMISSIONERS, STATE

**OF IDAHO, ON THE 22ND DAY OF OCTOBER 2012, THE FOLLOWING RESOLUTION
WAS ADOPTED, TO WIT:**

WHEREAS, Elmore County (the “County”), acting through its Board of County Commissioners (the “Board”), pursuant to Idaho Code §§ 31-601 and 31-604 has the authority to effectively carry out the duties imposed by the provisions of the Idaho Code and Constitution; and

WHEREAS, the Elmore County Sheriff’s Office (the “Sheriff”) provides certain civil services for the public; and

WHEREAS, the Sheriff desires to revise and impose certain fees in connection with the civil services it provides to the public; and

WHEREAS, Idaho Code § 31-3203 empowers the Board to set the Sheriff’s fees by resolution in an amount reasonably related to, but not exceeding, the actual costs of such services; and

WHEREAS, the Board has determined that the fees for the services set forth on the attached **Exhibit A**, which exhibit is made a part hereof as if fully set forth herein, are reasonably related to, and do not exceed, the actual costs of providing such services and it is in the best interest of the public to revise and impose such fees as set forth on **Exhibit A**.

WHEREAS, a comparison of the existing fees with the proposed fees is set forth on the attached **Exhibit B**, which exhibit is made a part hereof as if fully set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Board in lawful assembled meeting hereby authorizes the Sheriff’s to establish and charge fees for civil services as set forth on **Exhibit A**.

IT IS FURTHER ORDERED that the fee increase will be effective as of the date hereof.

DATED this 22nd day of October, 2012.

ELMORE COUNTY COMMISSIONERS

/S/ ARLEN O. SHAW, Chairman

/S/ ALBERT HOFER, Commissioner

/S/ WESLEY R. WOOTAN, Commissioner

ATTEST: /S/ BARBARA STEELE, Clerk

Motion by Wootan, second by Shaw, to approve Resolution No. 504-12 Amending the Budget to Redistribute Juvenile Corrections Act Expenses.

SHAW -AYE
HOFER -AYE
WOOTAN..... -AYE

Motion carried and so ordered.

RESOLUTION NO. 504-12

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 2013 County budget during its regular meeting on October 22, 2012, and the need to amend the County budget has been satisfactorily demonstrated to the Board of Commissioners.

IT IS HEREBY RESOLVED:

1. That the 2013 final B-budget line item 641.941.02.134.00, in the amount of \$10,500.00, Community Service Program in the Juvenile Corrections Act Expenses be redistributed to create an A-budget with the following line items: Community Service Extra Help, line item 641.941.01.001.020 in the amount \$9,750.00, FICA, line item 641.941.01.002.00, in the amount \$607.00, and Medicare, line item 641.941.01.002.01, in the amount \$143.00.
2. That this resolution shall be effective October 22, 2012.

PASSED, at a regular meeting of the Elmore County Board of Commissioners in the County of Elmore, State of Idaho, held on the 22nd 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/ ALBERT HOFER, Commissioner

/S/ WESLEY R. WOOTAN, Commissioner

ATTEST: /S/ BARBARA STEELE, Clerk

Motion by Shaw, second by Hofer, to sign the Security Services Joint Powers Agreement between the City of Glens Ferry and Elmore County.

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

Motion carried and so ordered.

Motion by Hofer, second by Wootan, to sign the 2012 Emergency Management Program Grant (EMPG) Award Package.

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

Motion carried and so ordered.

The 200 foot setback at the Glenns Ferry Landfill was discussed. There is trash buried too close to the edge of the landfill. Centra Consulting is working with the Bureau of Land Management (BLM) and the Department of Environmental Quality (DEQ) to resolve the situation.

Commissioner Wootan updated the Board on the Glenns Ferry On/Off Ramp Project.

Motion by Wootan, second by Hofer, to approve and sign the letter to the residents in the Ballantyne Subdivision regarding the residents forming a Flood Control District.

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

Motion carried and so ordered.

Attorney Grant reviewed the bid from Sawtooth Emergency Vehicles for a new ambulance. The price of the bid was \$138,157.00 for a Type III Chevrolet Ambulance.

Motion by Wootan, second by Hofer, to approve the bid and purchase of a new Type III Chevrolet Ambulance for \$138,157.00.

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

Motion carried and so ordered.

The county owned land surrounding the Bennett Road Landfill was discussed. Attorney Grant did some research into the county possibly leasing out the property for dry farming. Discussion followed.

Clerk Steele discussed the Family Search Proposition. The group would like to come into the Recorder's Office to research and make images of information from old records. In turn they will provide copies of the images to the Recorder's Office.

Motion by Shaw, second by Wootan, to approve the Family Research Proposition.

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

Motion carried and so ordered.

Clerk Steele discussed the accrual of vacation and sick time for a department who has two employees working thirty seven hours per week instead of forty. The personnel policy is broken down into accrual of time for employees working twenty hours, thirty five hours and forty hours per week. There would have to be an amendment made to the personnel policy to add the breakdown of time accrued by employees working thirty seven hours per week. The Commissioners stated no changes will be made and those employees working thirty seven hours would fall into the thirty five hour category.

Commissioner Wootan suggested that due to the recent rain and cooler temperatures, there is no longer a threat of wild fires and the Burn Ban should be lifted. Clerk Steele stated that the original Burn Ban Ordinance and Resolution that regulates the Ordinance expired on October 20, 2012.

Motion by Shaw, second by Hofer, 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 -**AYE**
WOOTAN..... -**AYE**

Motion carried and so ordered.

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

K-08-12-02 Motion by Shaw, second by Wootan, to deny as applicant received Medicaid for dates of service.

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

Motion carried and so ordered.

K-09-12-03 Motion by Shaw, second by Wootan, to deny as applicant failed to cooperate, failed to appear at subpoenaed appointment to determine eligibility for county assistance. Unable to determine residency, obligated county, resources or indigency.

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

Motion carried and so ordered.

K-09-12-06 Motion by Shaw, second by Hofer, to deny as applicant failed to cooperate, failed to return to provide documentation to determine indigency, residency, obligated county or last resource.

SHAW -**AYE**

HOFER -AYE
WOOTAN..... -AYE

Motion carried and so ordered.

A short recess was taken. Regular session resumed.

Motion by Wootan, second by Shaw, to approve the Ambulance District Expenses in the amount of \$138.54, payable to RTI.

SHAW -AYE
HOFER -AYE
WOOTAN..... -AYE

Motion carried and so ordered.

Clerk Steele reviewed expenses for the Trinity Ridge Fire.

Terri Exon, Pioneer Insurance, appeared to discuss the Elmore County Insurance Policy renewal. Ms. Exon reviewed coverage for county buildings and contents, vehicles and other county inventory. Volunteer coverage was also discussed.

Brent DeArmone, Idaho Spring Water, appeared to discuss coffee and water services for the Elmore County buildings. Idaho Spring Water services many courthouses and businesses in the area. Clerk Steele explained that the employees in different county supply their offices with coffee and bottled water, as it is not a county expense. The Board stated that the county would not be interested in a coffee and water service at this time.

Motion by Shaw, second by Hofer, to go into Executive Session pursuant to I.C. 67-2345(b) to discuss a personnel issue. Roll call vote was taken.

SHAW -AYE
HOFER -AYE
WOOTAN..... -AYE

Motion carried and so ordered.

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

The Pine Ambulance/Sheriff's Department Joint Substation in Pine was discussed.

Motion by Shaw, second by Wootan, to adjourn.

SHAW -AYE
HOFER -AYE
WOOTAN..... -AYE

Motion carried and so ordered.

ARLEN O. SHAW, Chairman

ATTEST:

BARBARA STEELE, Clerk