

COMMISSIONERS MINUTES

OCTOBER 29, 2012

The Elmore County Commissioners met in regular session on the above date in the Commissioner’s 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 was Civil Attorney Buzz Grant and Clerk Barbara Steele.

Bill Kelley, Oasis Fire Protection District, appeared with the paperwork to annex property into the Oasis Fire District. Discussion followed and Attorney Grant will prepare the paperwork necessary to present later in the meeting. Mr. Kelley stated there is a stretch of the interstate that the Oasis Fire Protection District would like to cover and would like the Commissioners to speak with Idaho Department of Transportation (ITD) to help gain access to a stretch of land for access. Commissioner Wootan stated Glens Ferry has just dealt with ITD regarding an on and off ramp and stated projects with ITD move very slow. Further discussion followed and no immediate solution was found. The Oasis Event Center was briefly discussed.

Motion by Shaw, second by Hofer, to add Lesia Knowlton to the agenda to discuss the Pine/Featherville Volunteer Ambulance Service as the formation of the service is an immediate issue.

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

Ms. Knowlton asked about supplies and the Commissioners stated to get them from the hospital. The question of whether they need to have an advanced license or not was discussed. Compensation for volunteers was discussed and will be addressed at a later date.

A Public Hearing was held to hear public comment regarding opening the 2013 Elmore County Budget for a Drug Grant, an Enhanced 911 Grant, Trinity Ridge Fire Expenses/Disaster Services , District Court/Adult Misdemeanor Probation and Juvenile Justice Expenses salary increases, Juvenile Tobacco Tax Grant, Juvenile Corrections Act Fund, and Industrial Revenue Fund cash carried forward. Clerk Steele explained the reason for opening the 2013 Budget.

Motion by Shaw, second by Wootan, to suspend the reading of Resolution No. 505-12 and refer to it in title only.

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

Motion by Wootan, second by Hofer, to adopt Resolution No. 505-12.

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

RESOLUTION NO. 505-12

**A RESOLUTION AMENDING THE BUDGET OF THE ELMORE COUNTY GOVERNMENT TO
PROVIDE FOR CONTINUED 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 and to account for the expenditure of those funds; and

WHEREAS, It is necessary to open the 2013 Elmore County Budget to meet unanticipated revenues and expenses for a Drug Court Grant, an E-911 Grant, Disaster Services Expenses due to the Trinity Ridge Fire, Industrial Revenue for the IWS Scholarships & Grants, District Court Probation and Restitution, Juvenile Justice Expenses, Juvenile Tobacco Tax Grant, Juvenile Corrections Act, and Juvenile Justice Expenses; and

WHEREAS, The Board considered these adjustments to the County Budget on October 29, 2012 at a public hearing, notice of public hearing posted on October 5, 2012 and published on October 17, 2012, and the need to amend the County Budget has been satisfactorily demonstrated to the Board of Commissioners.

NOW, THEREFORE BE IT RESOLVED that the Elmore County Board of Commissioners in lawful meeting assembled as follows:

THAT the Elmore County 2013 Budget be adjusted as follows:

Drug Court:

- Line Item 126.326.00.157.00 Drug Court Grant Revenue be increased to \$100,000.00
- Line Item 126.496.01.001.01 Drug Court Coordinator be increased to \$33,576.00
- Line Item 126.496.01.001.02 Drug Court Probation Officer- be increased to \$31,696.00
- Line Item 126.496.01.002.00 Social Security be increased to \$4,047.00
- Line Item 126.496.01.002.01 Medicare be increased to \$947.00
- Line Item 126.496.01.005.00 Life Insurance be increased to \$150.00
- Line Item 126.496.01.007.00 PERSI/Retirement be increased to \$6,945.00
- Line Item 126.496.02.028.01 Training-Grant be created in the amount of \$17,368.00
- Line Item 126.496.02.045.01 Drug Testing-Grant be created in the amount of \$14,600.00
- Line Item 126.496.02.046.00 Participant Services-Grant be created in the amount of \$10,200.00
- Line Item 126.496.02.089.00 Contractual Services-Grant be created in the amount of \$29,355.00
- Line Item 126.496.02.011.01 Equip/Supplies-Grant be created in the amount of \$3,540.00

E-911:

Line Item 194.394.00.147.00 Phone System Upgrade Grant be increased to \$130,016.05
Line Item 194.494.02.021.00 Phone System Upgrade Grant be created in the amount of \$130,016.05

Disaster Services Expenses:

Line Item 138.338.00.099.00 PILT - \$101,322.58 be transferred to Line Item 100.300.00.098.00 Trinity Ridge Fire Expenses Revenue
Line Item 100.406.02.034.00 Trinity Ridge Fire Expenses be increased to \$101,322.58

Industrial Revenue:

Line Item 197.397.00.003.09 Estimated Cash Carried Forward be increased to \$93,000.00
Line Item 197.497.02.050.26 IWS Scholarships & Grants be increased to \$80,000.00

District Court-Probation/Restitution

Line Item 138.338.00.099.00 PILT – 3,163.00 be transferred to Line Item 126.326.00.098.00 Revenue Transfer-In
Line Item 126.486.01.001.05 Misdemeanor Probation-Wenner be increased to \$32,678.00
Line Item 126.486.01.002.00 Social Security be increased to \$4,130.00
Line Item 126.486.01.002.01 Medicare be increased to \$966.00
Line Item 126.486.01.007.00 PERSI/Retirement be increased to \$7,088.00

Juvenile Justice Expenses:

Line Item 138.338.00.099.00 PILT – \$2,537.00 be transferred to line item 643.843.00.098.00 Revenue Transfer-In
Line Item 643.943.01.001.04 Juvenile Probation Admin – Dye be increased to \$45,673.00
Line Item 643.943.01.001.05 Juvenile Probation Officer – Bowden be increased to \$31,575.00
Line Item 643.943.01.002.00 Social Security be increased to \$8,516.00
Line Item 643.943.01.002.01 Medicare be increased to \$1,992.00
Line Item 643.943.01.007.00 PERSI/Retirement be increased to \$14,613.00

Juvenile Tobacco Tax Grant:

Line Item 640.840.00.003.09 Estimated Cash Carried Forward Revenue be increased to \$29,358.00
Line Item 640.940.02.018.00 Miscellaneous to be increased to \$23,858.00
Line Item 640.940.02.027.00 Dues/Schools/Tuition to be increased to \$1,000.00
Line Item 640.940.02.133.00 Training to be increased to \$2,000.00
Line Item 640.940.02.177.00 Drug/Alcohol testing to be increased to \$4,000.00
Line Item 640.940.02.179.00 Alternative Placement to be increased to \$4,000.00

Juvenile Corrections Act:

Line Item 641.841.00.003.09 Estimated Cash Carried Forward Revenue be increased to \$42,375.00
Line Item 641.941.02.009.00 Postage to be increased to \$3,500.00
Line Item 641.941.02.010.00 Telephone to be increased to \$4,000.00
Line Item 641.941.02.018.00 Miscellaneous to be increased to \$25,375.00
Line Item 641.941.02.020.00 Equipment to be increased to \$7,000.00

PASSED, at the regular meeting of the Elmore County Board of Commissioners in the County of Elmore, State of Idaho, held on the 29th 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 WOOTAN, Commissioner

/S/ALBERT HOFER, Commissioner

ATTEST: /S/ BARBARA STEELE, Clerk

The public hearing was closed.

The Department Heads meeting followed.

Carol Killian, Disaster Services Coordinator, appeared and the Trinity Ridge Fire was discussed. The Highway 20 road block was discussed as to whether the County will be reimbursed or not. Also the other road closures will be investigated as to whether we will be reimbursed. The Emergency Disaster Resolutions do not need to be passed anymore per the State.

Wade Baumgardner, Veteran’s Service Officer, appeared and reviewed the handout he gave to the Commissioners. Mr. Baumgardner stated his office is getting busier and he has scheduled an outreach meeting for tomorrow at the Pine/Featherville Senior Center.

Alan Christy, Growth and Development Director, appeared and discussion followed on charging the City of Mountain Home application fees. Generally the City and County do not charge each other fees.

Motion by Shaw, second by Hofer, to not charge the City of Mountain Home any applications fees.

SHAW- AYE

HOFER- AYE

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

Discussion followed regarding the purchase of a new vehicle for the Growth and Development Department. Mr. Christy will meet with Civil Attorney Grant to research the purchase. Building permits have increased. The Comprehensive Plan workshops will be scheduled.

Steven Dye, Juvenile Probation Department, and Jason Stone, Idaho Juvenile Justice Commissioner, District 4 Liaison, appeared and Mr. Dye gave the Commissioners a copy of the department’s caseload summary. A community garden was discussed. Mr. Stone gave the Commissioners a

demographic sheet showing how many juveniles are in custody past and present. Mental illness, treatment, and evaluation were discussed.

Bill Wenner, Adult Misdemeanor Probation, appeared and reported there are 156 people on Probation. Global Drug Testing is currently handling our probation testing which has decreased our in house testing.

Motion by Shaw, second by Hofer, to suspend the reading of Resolution and Order Number 516-12 and refer to it in title only, and to approve and sign Resolution and Order Number 516-12.

SHAW- AYE

HOFER- AYE

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

**ELMORE COUNTY
RESOLUTION AND ORDER OF ANNEXATION OF PROPERTY INTO THE OASIS FIRE
PROTECTION DISTRICT**

RESOLUTION NO. 516-12

AT A MEETING OF THE BOARD OF THE ELMORE COUNTY (the “County”) COMMISSIONERS (the “Board”), STATE OF IDAHO, ON THE 29TH DAY OF OCTOBER 2012, THE FOLLOWING RESOLUTION AND ORDER OF ANNEXATION OF PROPERTY INTO THE OASIS FIRE PROTECTION DISTRICT WAS UNANIMOUSLY ADOPTED, TO WIT;

WHEREAS, annexation of territory into a fire protection district is governed by Idaho Code Title 31, Chapter 14; and

WHEREAS, a petition (the “Petition”), requesting annexation of the real property (“Annexed Property”), which property is legally described on **Exhibit A** and shown on **Exhibit B**, which exhibits are attached hereto and made a part hereof, was submitted to the Oasis Fire Protection District (“District”) on or about August 2, 2012 by the owner of one hundred percent of the Annexed Property; and

WHEREAS, the Annexed Property is not contiguous to the property which makes up the District and is comprised of one hundred and sixty acres (160) of land; and

WHEREAS, the Owner of the Annexed Property consents to a hearing within one hundred eighty (180) days of the date of the Petition;

WHEREAS, the commissions of the District on September 11, 2012, held a public hearing in connection with the proposed annexation of the Annexed Property, which public hearing was published in the Mountain Home News on August 15, 2012; and

WHEREAS, the commissioners of the District on September 11, 2012, approved the annexation of the Annexed Property into the District and issued an Order of Annexation, which Order of Annexation was delivered to the Board, on October 29, 2012; and

WHEREAS, the Board has reviewed the Order of Annexation from the District and desires to enter this Order of Annexation of Property into the District and to include the Annexed Property on to the Elmore County tax rolls.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that Elmore County Board of Commissioners does hereby resolve and order that the Annexed Property be annexed into the District.

BE IT FURTHER RESOLVED, that the Elmore County Assessor be directed to add the Annexed Property to the tax rolls of the District.

BE IT FURTHER RESOLVED, that the Elmore County Recorder be directed to record this Resolution and Order of Annexation of Property into the Oasis Fire Protection District pursuant to Idaho Code Section 31-1411.

This Resolution and Order of Annexation of Property in to the Oasis Fire Protection District of the Elmore County Board of Commissioners, was approved on and shall be effective on this 29th day of October 2012.

ELMORE COUNTY BOARD OF COMMISSIONERS

- /S/ ARLEN O. SHAW, Chairman
- /S/ ALBERT HOFER, Commissioner
- /S/ WESLEY WOOTAN, Commissioner
- ATTEST:** /S/ BARBARA STEELE, Clerk

Motion by Wootan, second by Hofer, to add to the agenda the discussion of Fair Ground activities.

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

Discussion followed regarding alleged underage drinking during an event at the Fair Grounds. The Fair Grounds were rented out for the event and it was a private party.

Motion by Wootan, second by Hofer, to approve the minutes for October 22, 2012.

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

Motion by Shaw, second by Wootan, to approve the Certificates of Residency as presented. Timothy Edward Austin, Heather Noelle Baker, Amiya Saige Barrutia, Kari R. Brown, Alicia Nicole Combs, Maria Cortes, Jesten James Dick, Kathy Jean Franck, Kara Lynn Hancock, Jarika Lyn Hedelius, Teresa Hernandez, Ashley Rose Helms, Amber July Hudson, Pepper Clark Janousek, Ana Valenzuela Knoles, Zachary Wayne Law, Thaddeus Mathieu Curtis Loomis, Melissa Anne McFadden, Andrew Arthur Martin, Delandrew Francia Morris, Jenny Roon Nickerson, Roger Michael Nickerson, Paola Rodriguez, Trixi Sanchez, Kayla Breanne Schenk, Jordan R. Scogin, Sydney Faye Sterling, Daelene Sueann Tibbitts, and Alejandra Sanchez.

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

Motion by Shaw, second by Wootan, to approve an Ambulance District Bill in the amount of \$325.00 to Shorty's towing.

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

Motion by Shaw, second by Wootan, to approve a Pest Abatement District expense in the amount of \$37.73 to Century Link for the phone line.

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

Motion by Hofer, second by Wootan, to sign the Sales Agreement for the purchase of a new Ambulance in the amount of \$138,157.00.

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

The Elected Officials monthly meeting was held.

Assessor Ron Fisher stated he has hired a new employee for the Department of Motor Vehicles and has listed a new position for an appraiser. Charging for VIN inspections was discussed. The Sheriff's Department also does VIN inspections. Different shaped parcels owned by Elmore County, usually taken by tax deed, were discussed.

Rose Plympton, Treasurer, stated her office is done with the preparation of the tax drive. Treasurer Plympton stated her two employees who are working 37 hours are not accruing vacation and sick leave at a 37 hour percentage rate due to a Commissioners decision at the last meeting. Treasurer

Plympton suggested that the Board may consider any newly hired county employees that fall between the 35 and 40 hours would accrue vacation and sick leave at the rate of their hours worked.

Sheriff Layher appeared and asked about the Resolution for serving civil papers. Attorney Grant stated the Resolution was done last week and that he is working on another issue regarding serving Health and Welfare papers. Sheriff Layher wants to use a line item in the Department's "A" budget that is vacant but has a dollar amount budgeted to shift employees to new job titles and re-evaluate their wages. Discussion followed on the salary survey that was done years ago and that the County has not used the Salary Survey Company in the last few years. The Sheriff's request to shift the budget items was discussed. When the Sheriff has made a decision Clerk Steele will prepare a resolution to reflect the changes.

Clerk Steele stated her office is working on the General Election and early absentee voting has been busy.

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

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

Regular session resumed.

Motion by Shaw, second by Hofer, to go into Executive Session pursuant to I.C. 67-2345(d) – 31-874 to hold a hearing on K-06-12-10. Roll call vote was taken.

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

A hearing was held on K-06-12-10. Present at the hearing were Chairman Arlie Shaw, Commissioner Wes Wootan, Commissioner Al Hofer, Civil Attorney Buzz Grant, Clerk Barbara Steele, Social Services Director Marianne Bate, and Social Services Assistant Candy Hinton. The applicant was not present. Ms. Bate gave an overview of the case. Questions were asked and answered. The hearing was closed.

Regular session resumed.

Motion by Shaw, second by Hofer, to take case K-06-12-10 under advisement.

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

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

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

Motion by Wootan, second by Hofer, to approve the findings of facts and conclusion of law on K-05-12-04.

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

K-09-12-07 Motion by Wootan, second by Shaw, to suspend the case until liability of insurance and crime victim’s compensation is determined.

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

K-09-12-09 Motion Wootan, second by Hofer, to deny as not indigent, not medically necessary, not emergent, and the applicant has discretionary income over 4 times the amount to pay over five years.

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

K-09-12-11 Motion by Wootan, second by Hofer, to deny as not indigent, the applicant did not cooperate, the application was not filed timely, not an medical emergency, was a “scheduled procedure”, and should have been filed as a 10 day prior application.

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

Motion by Shaw, second by Wootan, to sign the FY 2013 Elmore County/Canyon County Juvenile Detention Housing Agreement.

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

Motion by Shaw, second by Wootan, to sign the EMPG grant Standard Assurances and Lobbying Disclosure and Drug Free Workplace forms.

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

Motion by Shaw, second by Wootan, to sign the Pine Ambulance Supervisor Volunteer Agreement with Lesia Knowlton.

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

The daily operation of the Glenns Ferry Landfill was discussed. Dewey Crane was on the agenda and has cancelled. Going out for bid on the daily operation was discussed.

Motion by Wootan, second by Hofer, to adjourn.

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

ARLEN O. SHAW, Chairman

ATTEST:

BARBARA STEELE, Clerk