

COMMISSIONERS MINUTES JANUARY 30, 2012

The Elmore County Commissioner 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. County Prosecutor Kristina Schindele was also present for a portion of the meeting.

Attorney Russell Love, representing Balfour Beatty Communities, and Ron Fisher, County Tax Assessor, appeared to discuss the Privatization of Military Housing at Mountain Home Air Force Base. Balfour Beatty is a company based in Philadelphia. Mr. Love will be the liaison between Balfour Beatty and the County regarding the project. Mr. Love explained that the base housing is sub-standard and the military does not have the funds to cover the upkeep of the housing. In 1996 Congress came up with an idea to have someone take over the management of base housing. These companies would provide the funding for new construction and renovations of the housing units. The funding will need to be repaid. Military personnel do not receive Basic Allowance for Housing (BAH) for living on the base, because it is Government Housing. The Air Force will lease the housing to Balfour Beatty, so it will no longer be considered Government Housing. The military personnel will then receive Basic Allowance for Housing, which will go to repay the costs. The BAH will be held in a locked account and will be disbursed as needed. Mr. Love stated according to statute, The County and State will not have the right to impose a tax on the properties. The Air Force will have beneficial ownership and will still control the housing in regards to who lives there, the rent, etc. Most of the current housing will be torn down and certain areas will be rebuilt. Additional housing can be built as the need arises. The construction supplies will be purchased locally. Job fairs will be held to hire local residents for maintenance, landscaping and construction positions. Balfour Beatty will have a leasing/maintenance office located on base. The Board questioned how building permits and construction inspections will be handled. Mr. Love explained that Mountain Home Air Force Base has exclusive jurisdiction, which means the state has signed over all jurisdiction and has no right to enforce any laws within the confines of the base. Building and zoning permits may not be applicable since they have exclusive jurisdiction. The base will conduct the building inspections to make sure all the specifications are being met. Mr. Love stated there was an increase in the number of re-enlistments in other areas where these projects have been done, as the conditions and upkeep of base housing is very important.

The monthly Department Head Meeting was held.

Wade Baumgardner, Veterans Service Officer, appeared to give his monthly update. His department is starting to get busier. He feels there will be an increase in request for services as the troops start returning from overseas. His department has been able to support thirty two veterans and their families in the last month.

Jennifer Crogg, Adult Misdemeanor Probation, was unable to attend the meeting, but dropped off her monthly report to the Board.

Steve Dye, Juvenile Probation Director, appeared to update the Board. Mr. Dye stated the Judges approved his new level system for repayment of Juvenile Probation fees. Mr. Dye stated one of the Juvenile buildings is being used for domestic violence classes, rent free, and suggested they should pay \$100.00 per month rent for the use of the space. He updated the Board on the research he has done regarding the purchase of a new van for his department.

Vence Parsons, Plant Facilities Department, appeared to give his monthly update. The department is in the process of running new power wires to their shop as they were having some power issues. The Law Enforcement Building had major issues with leaks after the recent snow storm and rainfall which required some repairs to the roof.

Alan Christy, Growth and Development Director, appeared to give his monthly report. Mr. Christy stated there is an increase in subdivision activity and would like to update the Board on their role in the approval process. Mr. Christy discussed the upcoming public hearing regarding a zoning ordinance change. The Bradford Street survey has been completed and will be recorded this week. The building on the property had a fire and the entire building is condemned. There will be a forty foot right of way included on the new survey. The wind farm projects are moving along and will be operational this year. Mr. Christy discussed the Mayfield Townsite. There are conditions that had to be met by February 17, 2012. Mr. Christy is not aware of the conditions being met as of yet and will contact them in regards to the deadline. Mr. Christy would like to conduct performance reviews for the staff in his department. Attorney Schindele will research the specifics and get back to Mr. Christy.

Rena Kerfoot, Fair Board, appeared to give her monthly update to the Board.

Katie Ashby, Drug Court, appeared to update the Board. The department held their first graduation last week for two drug court members. Ms. Ashby stated they have been able to maintain capacity in the program. She gave the Board a report of the Participant Balances for the month.

Traci Lefever, E911 Coordinator, appeared to discuss the Rural Telephone Company Access Service (RTI). RTI is requesting back payment for services rendered. Ms. Lefever stated that in December 2010, she requested an estimate and sample billing from RTI for the Board to review. She received no response. She sent another request for the same and also for a representative to appear before the Board in February 2011. She received an email response saying someone will attend and no one appeared. Ms.

Lefever had made several more requests for a representative to appear at upcoming Board meetings and no representative appeared. A representative appeared at the May 3, 2011 meeting and requested back billing and was told that the county will not pay for services without a contract. Ms. Lefever had requested a contract for several months following. Ms. Lefever finally received a contract in September 2011 and forwarded it to Attorney Buzz Grant for review. Attorney Grant made revisions and returned the contract the same day. Discussion followed.

The monthly Elected Officials meeting was held.

Ron Fisher, Assessor, appeared to update the Board. His department is continuing with the revaluations and has finished the schooling they were attending. Mr. Fisher discussed the assessment and taxing issues regarding the Military Housing Privatization meeting that was held earlier.

Clerk Steele gave her monthly update. The new ballot counter had arrived this morning and her staff will be trained on the use of it. There will be a March election for the Bruneau/Grandview School District levy. The Elections Department is still waiting for the decision to whether the primary election will be held in May or August.

Sheriff Rick Layher appeared to update the Board. Sheriff Layher is close to the finalizing the contract for dispatch services between the City of Mountain Home and Elmore County. Discussion followed. Sheriff Layher will hold firearm safety training for the jail employees. The amount of current inmates and the capacity of the jail were discussed.

A public hearing was held to open the budget for Fiscal Year 2012. The purpose of the public hearing was to hear public comment regarding opening the 2012 Elmore County Budget to receive unanticipated revenue in the amount of \$37,720.00, grant funds for election equipment, grant funds in the amount of \$11,250.00 for the creation of the Juvenile Millennium Fund, and unanticipated revenue in the amount of \$1,100.00 for the Snowmobile Fund. PILT funds will be transferred to Capital Improvement to purchase property in Pine for a combined Sheriff's Substation/Ambulance Shed and improvements to the property in the amount of \$300,000.00. Expense line items will be increased to offset the unanticipated revenue. Cash carried forward in the amount of \$51,272.00 for the Juvenile Corrections Act Fund will be corrected and the expense line item will be increased. Clerk Steele explained the unanticipated revenue that would be received. The \$11,250.00 for the grant for the Juvenile Department has not been approved yet. If the grant is approved, a resolution will be prepared. The snowmobile fund donation is only \$500.00. No public was present at the hearing. The hearing was closed.

Motion by Hofer, second by Shaw, to sign and adopt Resolution No. 471-12 Open Budget FY 2012.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

RESOLUTION NO. 471-12

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 2012 Elmore County Budget to meet unanticipated needs, unanticipated revenue and expenses for various departments. A donation to the Snowmobile fund in the amount of \$500.00, a grant for the Election Department for a new ballot counter in the amount of \$37,720.00, a transfer from PILT to Capital Improvement to purchase property in the Pine/Featherville area for a joint sheriff's sub-station and ambulance shed and for any property improvements in the amount of \$300,000.00 and to correct the cash carried forward in the Juvenile Correction Fund in the amount of \$51,272.00.

WHEREAS, The Board considered this adjustment in the amount of \$ 389,492.00 to the County Budget on January 30, 2012 at a public hearing, notice of public hearing published on January 11, 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 2012 Budget be adjusted as follows:

1. That revenue line item 177.377.00.050.30, Snowmobile Fund, be increased by \$500.00
2. That expense line item 177.477.02.050.20, Snowmobile Fund expenses, be increased by \$500.00.
3. That revenue line item 100.300.00.083.00, Current Expense Miscellaneous, be increased by \$37,720.00.

4. That expense line item 100.414.02.020.00, Election Equipment, be increased by \$37,720.00.
5. That \$300,000.00 from line item 138.338.00.099.00 PILT, be shifted to revenue line item 650.850.00.098.00, Capital Improvement.
6. That expense line item 650.950.02.022.00, Capital Improvement Building Expense, be increased by \$300,000.00.
7. That revenue line item 641.841.00.003.09, Juvenile Correction Fund, estimated cash carried forward, be increased by \$51,272.00.
8. That expense line item 641.941.02.018.00, Juvenile Correction Fund, Miscellaneous, be increased by \$51,272.00

PASSED, at the regular meeting of the Elmore County Board of Commissioners in the County of Elmore, State of Idaho, held on the 30th day of January, 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 Wootan, second by Hofer, to approve the minutes for January 23, 2012.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Wootan, second by Shaw, to approve the Certificates of Residency for Rebecca I. Howard, Dayana Popoca and Anastasia Tamsen Sansone.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Hofer, second by Wootan, to sign the RC&D Project Proposal Application for the Oasis Fire Protection District.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Chairman Shaw received a call from Twin Falls County Commissioner Terry Kramer regarding the Redistricting issue and a potential lawsuit that could be filed.

Motion by Shaw, second by Hofer, to add to the agenda the discussion of Redistricting as information was just received. Discussion followed.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

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

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Regular session resumed.

Katie Ashby, Drug Court Coordinator, and Kristina Schindele, County Prosecutor, appeared to discuss Drug Court Expansion. There is a grant opportunity through the Bureau of Justice Assistance for an enhancement grant for Adult Drug Courts. It is a two year, \$200,000.00 block grant which means the department would have to expand enough to use the entire amount of the grant. Ms. Ashby would like to add ten more slots in the program to total thirty participants. Ms. Ashby presented the Board with a breakdown of services and costs for each. Discussion followed. Prosecutor Schindele discussed the statistics of clients involved in the program since it started in October 2010. Discussion

followed regarding the future success of the program. Safety and security issues for the Drug Court were also addressed.

Mike Thurlow, representing the American Legion Post 101, appeared to discuss the War Memorial Fund. Mr. Thurlow presented the requirements needed to get funding from the War Memorial. He reviewed the history of the Post, current activities, programs and organizations they are involved in, and future updates for their building. Mr. Thurlow outlined the annual operational costs of the Post. They understand the funding through the War Memorial is limited. Any funding the County approves will be strictly used for the annual operational costs. Discussion followed.

A short recess was taken. Regular session resumed.

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-10-11-03 Motion by Shaw, second by Wootan, to sign the Order of Dismissal as the provider withdrew the appeal.

SHAW..... -AYE

HOFER..... -AYE

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

K-12-11-06 Motion by Wootan, second by Shaw, that determination of decision be held in suspension per I.C. 31-3505c.

SHAW..... -AYE

HOFER..... -AYE

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

K-12-11-07 Motion by Wootan, second by Shaw, that determination of decision be held in suspension per I.C. 31-3505c.

SHAW..... -AYE

HOFER..... -AYE

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

K-12-11-08 Motion by Hofer, second by Wootan, to approve with reimbursement of \$75.00 per month to begin on April 15, 2012 and 50% of Federal and State tax refunds as payment.

SHAW..... -AYE

HOFER..... -AYE

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

K-12-11-09 Motion by Wootan, second by Hofer, to approve with reimbursement of \$250.00 per month and 50% of Federal and State tax refunds as payment.

SHAW..... -AYE

HOFER..... -AYE

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

John Boguslawski, representing the Snowmobile Advisory Committee, appeared to discuss the Snowmobile Fund. Mr. Boguslawski stated the Committee’s goal is to open communication with the County regarding how future funds will be disbursed. Attorney Grant explained that according to the statute, the Snowmobile Funds belong to the County and they are responsible for disbursement. Scott Mecham, treasurer of the Advisory Committee, also appeared. Mr. Mecham questioned who actually owns Malcomson’s Snow Park and why the funds from the snowmobile budget are now being used by the County. Discussion followed. Deputy Laytrede Schultz explained the Snowmobile Advisory Board’s position is to advise the County Commissioners how the funds should be spent, not just make the decision on what expenses are paid. The Commissioners feel the Advisory Board needs to submit their bills to the County for payment, instead of each individual paying the bills first, then submitting a voucher for reimbursement. Mr. Mecham stated that many of the expenses are paid by supplemental funds raised by the Advisory Board, and does not come out of the Snowmobile Fund. Allen Kiester, also explained what yearly expenses they encounter. Discussion

followed. The Advisory Board is concerned that the upgrading at Malcomson's Snow Park will take away from the limited funds that they receive and they are unsure of where they stand with a budget. Discussion followed. The Board requested a budget so they can get an idea of the expenses for the year. Mr. Mecham will provide that to the Board.

A short recess was taken. Regular session resumed.

Alan Christy, Growth and Development Director, appeared to explain how his department processes subdivisions. The first requirement is a Conditional Use Permit, which requires a public hearing. If approved or denied, and not appealed, it only needs to go to Planning and Zoning. Once the Conditional Use Permit is approved, a preliminary plat is required, which needs to be reviewed by Planning & Zoning at an open meeting. Once the preliminary plat meets all of the requirements for approval, a final plat, bearing all the required signatures, needs to be reviewed by Planning & Zoning at an open meeting. Once approved, the final plat will go to the Assessor, then the Treasurer for signature. It will need to be approved and signed by the Board of Commissioners. It must be recorded within thirty days of being signed by the Treasurer. Discussion followed.

Mayor Tom Rist, via speaker phone, called to discuss the Privatization of Military Housing at Mountain Home Air Force Base and if collecting property tax is an option. Discussion followed.

Motion by Shaw, second by Hofer, to adjourn.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

/S/ ARLEN O. SHAW, Chairman

ATTEST: /S/ BARBARA STEELE, Clerk