

**COMMISSIONERS MINUTES
FEBRUARY 13, 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 was Civil Attorney Buzz Grant, Clerk Barbara Steele and Deputy Clerk Shelley Hooper.

Motion by Shaw, second by Hofer, to approve the minutes for January 26, 2012 and January 30, 2012.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Hofer, to approve the Expenses in the amount of \$380,711.47.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Hofer, to approve the payroll for January 2012 in the amount of \$374,289.44.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

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

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Hofer, to approve the Certificates of Residency for Courtney Lynn Bennett, Alexis Mikalee Berry, Courtney Rae Christiansen, Kelly Morales, Jenny Roon Nickerson, Roger Michael Nickerson, JaDene Lynn Palmer, Derek S. Arel, Ted Caranto, Kelly J. Chung-Yuen, Sheryl Marie Elms, Summer Ann Ethridge, Meghan A. Fish, Gabriel S. Fowler, Crystal N. Gehrt, Erin Kelly Hartman, Alberto B. Hernandez, Jeri M. Hough, Steven R. Hughes, Shawna J. Jackson, Angelina Rae Kiesser, David P. Martin, Daniel Lee McCallum, Morgan P. McCluskey, Yung K. Pak, Veronika Palona, Janett Reyes, Regina F. Rodriguez, Jesse J. Smith, James C. Snoey, Samantha Cherise Stenlund and Zachery R. Wendel.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Attorney Grant discussed the Memorandum of Understanding for Cooperative Frequency Use between Elmore County and the USDA, Forest Service Boise National Forest. Some revisions were made and it is ready for execution.

The NACo Prescription Drug Card Plan was discussed. There is a new revenue sharing program being offered to the counties. The Board decided to stay with the original contract.

The purchase of the Pine Property was discussed. Alan Christy, Growth and Development Director, did an inspection of the property after the tenant had moved out and everything appeared in order. Attorney Grant will proceed with the closing.

Attorney Grant discussed the possibility of supervisors doing informal employee evaluations. It is not currently a County requirement for each department. Attorney Grant discussed the pros and cons of informal evaluations. Discussion followed.

The public portion of the meeting was held. Johnny Willis appeared to discuss an issue with an indigent case. Mr. Willis is the executor of an estate which has a medical lien against it in regards to an indigent application. Mr. Willis questioned the procedure for selling the property with the lien attached and can the lien possibly be forgiven since the applicant is deceased. Chairman Shaw stated the indigent account must be paid from the proceeds of the sale of the property. Discussion followed.

Motion by Shaw, second by Wootan, to accept the Memorandum of Understanding for Cooperative Frequency Use between Elmore County and the USDA, Forest Service Boise National Forest, with changes made to the MOU.

SHAW..... -AYE

HOFER..... -AYE

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

The E911 Contract with Rural Telephone was discussed. Attorney Grant met with the E911 Board last week and Rural Telephone was present at the meeting as well. Rural Telephone is requesting retroactive payment for services rendered. Presently, there is no signed agreement with Rural Telephone. The format of the agreement is approved, the only issue is the effective date of the agreement. Rural Telephone attended a Board meeting in May 2011 and stated they would not retroactively charge the County for services rendered. The Chairman of the E911 Board stated they will start payment as soon as Rural Telephone signs the agreement. Rural Telephone has also been asked several times for a breakdown of charges for services, which they still have not provided.

Motion by Shaw, second by Hofer, to recess as a Board of County Commissioners and convene as a Board of Equalization.

SHAW..... -AYE

HOFER..... -AYE

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

Assessor Ron Fisher appeared to discuss the Tax Exemption Applications for the United Presbyterian Church and Balfour Beatty Communities, LLC.

Motion by Shaw, second by Hofer, to approve the Tax Exemption Application for the United Presbyterian Church effective January 1, 2012.

SHAW..... -AYE

HOFER..... -AYE

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

Assessor Fisher discussed the Balfour Beatty Communities, LLC Tax Exemption Application.

The request is in regards to the military housing on Mountain Home Air Force Base. Attorney Grant stated he would advise the Board not to approve the request at this time and await further information on the matter. Discussion followed.

Daniel Pomerlee, of the Love Abiding Christian Spiritual Church, appeared to discuss his Tax Exemption Application. Mr. Pomerlee has been paying taxes for an adjacent building next to the Love Abiding Christian Spiritual Church which was purchased in 2004. Mr. Pomerlee is three years behind in tax payments. Mr. Pomerlee didn't realize he needed to file for an exemption for the adjacent building. He recently inquired at the Treasurer's Office if the church should be tax exempt. The Treasurer's Office sent him to the Assessor's Office to file for a tax exemption. Mr. Pomerlee is also requesting a refund of the taxes he has paid for in prior years, and not to have to pay for the three delinquent years. Discussion followed. The Board will take the request for a refund and waiver of the three years owing under advisement.

Motion by Shaw, second by Wootan, to approve the Tax Exemption Application for the Love Abiding Christian Spiritual Church effective January 1, 2012.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Hofer, to recess as a Board of Equalization and convene as a Board of County Commissioners.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Steve Dye, Juvenile Probation Director, updated the Board regarding the purchase of a new vehicle for the Juvenile Probation Department. Mr. Dye presented the Board with a list of comparison prices on several makes and models. Discussion followed.

Treasurer Rose Plympton appeared to discuss the tax deed process. Ms. Plympton reviewed the costs regarding the tax deeds and the Notice of Pending Issue format. Ms. Plympton stated they need to list a breakdown of the costs in the publication of the Notice of Pending Issue. The tax deed hearing was rescheduled to May 21, 2012 at 11:00 a.m. to accommodate the change.

The Dispatch Agreement between Elmore County and the City of Mountain Home was reviewed.

Motion by Hofer, second by Shaw, to sign the Cooperative Agreement between Elmore County and the City of Mountain Home for Dispatch Services.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

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

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Regular session resumed.

Motion by Shaw, second by Hofer, to approve the Ambulance District Expenses in the amount of \$73,555.64. Pine Resort LLC - \$700.00 and Elmore Medical Center - \$72,855.64.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

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
so ordered.

Motion carried and

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

A public hearing was held to accept testimony to consider amending and restating, in its entirety, the Elmore County Zoning and Development Ordinance which was adopted on May 13, 2009 and amended December 1, 2010 and August 17, 2011. The proposed changes to the ordinance amendment were initiated by Elmore County. The amended and restated ordinance, among other things, adds a new chapter regarding regulation and development of cluster subdivisions. The Elmore County Planning and Zoning Commission recommended approval of the ordinance amendment on December 21, 2011. The Board waived the five day notice requirement for the delivery of written testimony. Roll call vote was taken.

Alan Christy, Growth and Development Director, reviewed and explained the proposed changes. Since the adoption of the ordinance on May 13, 2009, several work sessions have been conducted with the Planning and Zoning Commission. The Planning and Zoning Commission conducted public hearings on September 7, 2011 and September 21, 2011. A recommendation was forwarded to the Elmore County Board of Commissioners. After review by legal counsel and comments from the City of Mountain Home, it was determined that it should go back to the Planning and Zoning Commission for further review. Mr. Christy presented the Board with an executive summary of changes and the recommendation from the Planning and Zoning Commission. Mr. Christy discussed cluster subdivisions and stated that once the ordinance is adopted the Growth and Development Department will have work sessions with the Planning and Zoning Commission each January or February to review the cluster subdivision process and correct any issues that may arise. Discussion followed.

The public hearing was closed. The Board will take the matter under advisement and will deliberate on March 12, 2012 at 2:15p.m.

Bill Richey, Governor's Special Assistant for Military Affairs, who was in attendance for the public hearing, came forward and the Royal Saudi Air Force being stationed at Mountain Home Air Force Base was discussed.

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
so ordered.

Motion carried and

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

K-12-11-10 Motion by Wootan, second by Shaw, to deny as incomplete medical records and billing. A medical review will be required once complete medical records and billing are received.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

K-01-12-02 Motion by Wootan, second by Hofer, to approve the payment of bills for December 2012 in the amount of \$20,092.66, with a reimbursement order of \$50.00 per month beginning May 15, 2012 and 50% of tax refunds as payment beginning in 2013, with the amount of monthly reimbursement to be reviewed January 2013. Deny any bills dated January 1, 2012 and thereafter, as applicant is eligible for Medicaid starting January 2012.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

K-01-12-04 Motion by Shaw, second by Hofer, to deny as an incomplete application per I.C. 31-3502(7).

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

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