

**COMMISSIONERS MINUTES
MARCH 26, 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.

Dave Humphreys, of the County Extension Office, appeared to discuss the Idaho State Department of Agriculture Cooperative Weed Management Area Disbursement Agreement State Cost Share Funds in the amount of \$32,440.00. Attorney Grant questioned what the planned approved project is, as it was not stated in the agreement. Mr. Humphreys explained what projects the grant will be used for and attached a copy of the planned project to the agreement. Attorney Grant reviewed the specific terms and conditions of the agreement. Mr. Humphreys agreed that he and his staff will comply with each of them. Attorney Grant also stated that South Fork CWMA is not clearly labeled as the “applicant” and “recipient”, and is concerned that, by signing the agreement, Elmore County may be held responsible for terms and conditions in the agreement, and he would like it clearly stated on the agreement that Elmore County is not the “applicant” or “recipient”. Mr. Humphreys stated that by signing the agreement, the Board of Commissioners are agreeing to these projects taking place within the County, and does not mean the County will be responsible for any of the funds or disbursements. Attorney Grant will contact Idaho State Department of Agriculture regarding the issues in the agreement and have changes made.

Mir Seyedbagheri, Extension Office, was unable to appear for the Department Head Meeting, but sent a summary of his accomplishments for the board to review.

Motion by Shaw, second by Wootan, for Chairman Shaw to execute the Cooperative Weed Management Area Disbursement Agreement upon approval of changes by Attorney Grant.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Wootan, to go into Executive Session pursuant to I.C. 67-2345 (b) to discuss possible personnel issues. Roll call vote was taken. A representative from the State Insurance Fund was present.

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.

Motion by Shaw, second by Hofer, to approve the minutes for March 19, 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 \$64,233.48.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

The monthly Department Heads and Elected Officials Meeting was held. Jennifer Reymont, of the State Insurance Fund, appeared to discuss workers comp issues. Ms. Reymont outlined nine steps to reduce workers compensation losses. Supervisor safety training will be held to educate supervisors and managers on identifying, controlling and eliminating hazards and updating employees on safe working conditions. Supervisors should be filing out accident report forms, not the injured employee. Ms. Reymont suggested researching the websites Idahosif.org and toolbox.com for helpful safety tips. Those departments which do typical “office work” can be trained on ergonomics to help avoid repetitive motion injuries, for example, carpal tunnel or neck and back strain from constant computer use. The Sheriff’s Department, Plant Facilities and the Extension Office would need different training, since these departments have more strenuous physical jobs standards. Discussion followed.

Wade Baumgardner, Veterans Service Office, updated the Board on his monthly accomplishments. Mr. Baumgardner attended two funerals at the Idaho State Cemetery. His department is in need of a new computer. The County IT department is checking into the issue. Since the last meeting they were able to assist forty veterans with services.

Jennifer Crogg and Bill Wenner, Adult Misdemeanor Probation, appeared to give their monthly report. The client numbers have gone up since last month. They have the GPS and TAD (Transdermal Alcohol Detector) systems started. The clients are paying a two week, up front cost before they get connected to the systems. As a condition of their release, they must continue to pay two weeks in advance, or they will be sent back to jail. Clients who are on pre-sentence drug testing must pay sixty dollars in advance for three drug tests.

Katie Ashby, Drug Court Supervisor, appeared to give her monthly report. Ms. Ashby had several clients pay off their fines with their tax refunds. There will be another graduation May 1, 2012, which is the start of National Drug Court Month. They will be having training in April and May.

Vence Parsons, Plant Facilities Manager, appeared to update the Board on his monthly progress. Mr. Parson's went to the Pine property, which the County just purchased. There are some areas that need to be updated, such as electrical and heating, to pass inspection. There is some water leaking into one corner of the building, due to the large amount of snow outside. There will need to be a lot of work done to make living spaces upstairs and downstairs. Mr. Parsons presented a bid for a heating/air conditioning system for one of the courthouse basement offices, and is awaiting another bid.

Alan Christy, Growth and Development Director, appeared to give the Board his monthly update. The Mayfield Springs Planned Community Hearing before the Planning and Zoning Commission is continued to May 9, 2012. Deliberations will be held and a decision may possibly be made by May 16, 2012, and that would give the earliest possible timeframe for a written decision on June 13, 2012. The department has seen an increase in building permit applications. There are two condemned buildings in Elmore County. They are still working with the owners to have them demolished.

Traci LeFever, E911 Coordinator, updated the Board regarding the Rural Telephone Company (RTI) issue. She is still awaiting an opinion from the Emergency Communications Commission regarding an installation fee.

Steve Dye, Juvenile Probation Director, appeared to update the Board on his monthly progress. There has been an issue regarding families from outlying areas who cannot afford to pay for gas to bring juveniles to treatment. The State has approved paying mileage out of the allocation of funds to Juvenile Probation to get juveniles from outlying areas to mountain home for treatment, as long as the family falls within financial guidelines for assistance. Mr. Dye discussed the Idaho JABG Intent to Use Allocation Form. Attorney Grant reviewed the requirements stated on the form.

Motion by Shaw, second by Hofer, to sign the Idaho JABG Intent to Use Allocation.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Jerry Rost, County Coroner, appeared to give the Board his monthly update. He will be attending training in June. He informed the Board that there are now two labs that will be doing blood testing for autopsies, so he will submit two separate bills instead of one.

Assessor Ron Fisher appeared to give his monthly update. His department has been doing ratio studies so they can figure out assessments for 2012. He explained the findings of the ratio studies for vacant residential, improved residential, commercial properties and manufactured homes for the past two years. They are processing Personal Property Tax Statements, Homeowner’s Exemption Applications and Circuit Breaker Applications which are due by April 15th. The department has sent out questionnaires to property owners with five or more acres of land, to try and determine who qualifies for Dry Grazing Exemptions.

Treasurer Rose Plympton appeared to give her monthly update. Her office is still working on the Tax Deed process. There are currently nineteen property owners on the list, with three making payments. Treasurer Plympton has sent out title commitments to notify everyone she can possibly notify, and will have the Sheriff’s Department post notices on the properties. There will be a CEO Legislative Webinar on May 3, 2012.

Clerk Steele gave her monthly update to the Board. The County has one remaining Tax Deed Property. Clerk Steele will be sending letters to adjacent property owners to inquire if anyone is interested in purchasing the property. Her office is busy with the upcoming elections. The target date to start absentee voting is April 9th. There will be poll worker training to update all the workers of the new changes including the fact that all voters need to affiliate with a party.

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 regarding the executive session.

Motion by Hofer, second by Shaw, 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 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. A personnel action was taken as result of the Executive Session.

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 hold a Hearing of Reconsideration on case K-05-11-06. Roll call vote was taken.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Present at the hearing were Chairman Arlie Shaw, Commissioners Al Hofer and Wes Wootan, Civil Attorney Buzz Grant and Deputy Clerk Shelley Hooper. Also present at the meeting were Social Services Director Marianne Bate, Social Services Assistant Kalene Lewis, Raven Wilkerson representing St. Alphonsus, the applicant and Heather Hagen, interpreter for the applicant. Questions were asked and answered. The hearing was closed.

The following decision was made as a result of the Executive Session:

K-05-11-06 Motion by Shaw, second by Hofer, to approve with reimbursement of \$25.00 per month and 50% of Federal and State Income Tax Refunds.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Hofer, second by Wootan, to approve Tax Cancellation No. 1156 – Margo and Chase Hoffman in the amount of \$1,115.31.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Hofer, to approve the Pest Abatement District expenses in the amount of \$50.00 payable to IMVCA.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Wootan, to sign and send out the Courthouse Parking Memo regarding reserved parking spaces.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

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

There was an issue of the animal shelter and who would be responsible for the cost of strays. The Board feels it is a separate issue from the dispatch agreement. Chairman Shaw will take the issue to the next City Council meeting.

Clerk Steele discussed the high cost of postage to include postage paid return envelopes for absentee ballots. Several absentee ballots sent out are returned in person back to the courthouse by the voter. Once absentee ballots are sent out with a postage paid return envelope and the return envelope is not used, the cost of that pre paid postage envelope cannot be reused by the county.

Motion by Wootan, second by Shaw, to have the voters pay return postage to mail back absentee ballots.

SHAW..... -AYE

HOFER..... -AYE

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

Steve Dye, Juvenile Probation Director, appeared to discuss salary ranges for new hires in his department. Clerk Steele explained the pay grade and step system used by the county to figure salaries. Attorney Grant suggested that the starting salary for the new hire be based on experience and education. Discussion followed.

Auditor Scott Hunsaker, appeared to review handouts of the 2011 Elmore County Audit. The audit went very well. Mr. Hunsaker reviewed Balance Sheets, which show cash reserves for unforeseen emergencies. He also reviewed County Assets and Liabilities. Revenue has slightly increased from last year. Investments and Capital Assets were reviewed. The budgeting process is working well, as there were very few departments that were over budget, most were under budget. Discussion followed.

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..... -AYE

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

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

Steve West, Centra Consulting Inc., appeared to update the Board on the landfill progress. They are contacting the other Arid Exempt landfills in the state regarding the Arid Exemption process to help them prepare the application. He spoke to the State regarding the question of monitoring costs. Given the unique circumstances of Bennett Road, they are going to work together regarding the ground water monitoring requirement, since there is no ground water to monitor. The State recognizes that there is a problem finding water, which is part of the Arid Exemption process, so they are looking for a resolution to the problem. The Bureau of Land Management (BLM) is going back and forth with The Department of Environmental Quality (DEQ) regarding the environmental covenant easement for the Glens Ferry Landfill. Mr. West is trying to set up a meeting to get a resolution on that issue. There is a question of whether Glens Ferry Landfill is considered a Tier 2 transfer station versus a container site. Research

into what materials are taken at the landfill and how the waste is being handled will help to determine the site classification. Discussion followed.

A short recess was taken. Regular session resumed.

Alan Christy, Growth and Development Director, and Beth Bresnahan, Planner, appeared to present the Board with the Clear Springs Ranch, Phase IA Final Plat. Mr. Christy stated that he is only able to answer procedural questions the Board may have. Any technical questions regarding the project can be answered by Ms. Bresnahan, who presented the Growth and Development Staff Report. Chairman Shaw stated this is not a public hearing and the Board is not required to take public testimony. No public was present. Commissioner Wootan recused himself from this portion of the meeting. Ms. Bresnahan reviewed the Staff Report for the Clear Springs Ranch, Final Plat Phase IA. On August 5, 2009 the Planning and Zoning Commission approved a one year extension to file the final plat. On January 10, 2011 the Board approved a second extension to file the final plat with conditions. The conditions stated the final plat be filed with the Growth and Development Department on or before January 1, 2012 and the final plat recorded on or before March 31, 2012. If the plat is not recorded by March 31, 2012, the plat will become "null and void". A time extension has not been applied for at this time. No improvements have been completed or bonded at this time. The Staff recommends that the Board not approve and not sign the final plat because no improvements have been started or completed. The Board may consider a bond for improvements, but the Staff does not recommend a bond for the following reasons:

1. Applicant has no timeframe for development.
2. Plans do not comply with I.C. 54-1215(3)(b).
3. Unable to determine the financial security term.
4. Unable to adequately protect the county from cost escalation due to uncertainty regarding
development term.
5. Staff does not have the resources to build out the project.

Typically bonds are used to finish improvements once construction has started. Discussion followed.

Motion by Shaw, second by Hofer, to not approve the Clear Springs Ranch, Final Plat Phase 1A. The Board considered requiring a bond in lieu of completion of improvements, but decided against it for the reasons set forth in the Staff Report.

SHAW..... -AYE

HOFER..... -AYE

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

Leonard Eisenmann, applicant for Clear Springs Ranch, appeared after the decision regarding the Final Plat was made. Chairman Shaw explained the decision by the Board not to approve the Phase 1A Final Plat due to the fact that there have been no improvements made. Mr. Eisenmann stated that he will be making the improvements to the land and asked if there was any information he could give to make to Board change their decision and Chairman Shaw stated the decision has been made. Chairman Shaw stated that the deadline was reached and he would have to reapply.

Motion by Shaw, second by Hofer, to adjourn.

SHAW..... -AYE

HOFER..... -AYE

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

/S/ ARLEN O. SHAW, Chairman

ATTEST: /S/ BARBARA STEELE, Clerk