

**COMMISSIONERS MEETING  
APRIL 9, 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 4<sup>th</sup> 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.

Allen Kiester, Groomer Board, appeared to discuss Groomers having riders along with them. Mr. Kiester stated they have a person ride along with them while grooming for safety reasons or in case of emergency. There are several times when there are trees down, the weather is bad or a possibility of avalanches. Mr. Kiester prepared a Release of Liability Form and asked if riders should be signing it in case something should happen, as they will not be covered by the county's insurance. Attorney Grant will review the Release of Liability Form and check with ICRMP (Idaho Counties Risk Management Program) regarding liabilities.

Motion by Shaw, second by Hofer, to approve the minutes for March 26, 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 \$498,673.02.

**SHAW..... -AYE**

**HOFER..... -AYE**

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

Motion by Shaw, second by Hofer, to approve the payroll for March 2012 in the amount of \$370,710.05.

**SHAW..... -AYE**

**HOFER..... -AYE**

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

Motion by Shaw, second by Wootan, to approve the Ambulance District Expenses in the amount of \$1,423.63. Valley Co-Ops, Inc - \$310.93, Intermountain Communications - \$236.00, Pine Resort, LLC - \$700.00 and Norco - \$176.70. Discussion followed.

**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**

Attorney Grant discussed the NACo Prescription Drug Card Program. There have been several issues with NACo in the past eight months regarding documentation required to get the program started. He spoke with NACo two weeks ago and asked for the new documents to be sent to him for review and presentation to the Board. Attorney Grant didn’t receive the documents until late last week, and while reviewing them on Friday, realized they sent him the wrong documents. Attorney Grant requested the correct documents and is expecting to receive them sometime this week. He will review them and present them to the Board at the next meeting. Attorney Grant also noted that Ada County has dropped out of the program.

Motion by Shaw, second by Hofer, to approve the Intermountain Multiple Listing Service Inc. License Agreement for the Assessor’s Office.

**SHAW..... -AYE**

**HOFER..... -AYE**

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

Alan Christy, Growth and Development Director, appeared to discuss a request for a billing fee increase from Attorney Philip Miller, representing Ashcraft and Miller,

PLLC. They are requesting a fee increase for regular Planning and Zoning meetings and an increase in per hour fees for legal work done outside of regular meetings, to begin on October 1, 2012. Chairman Shaw stated that the Board will discuss the request and review the budget. Mr. Christy also updated the Board on the wind farms and solar farms progress, and building permit applications. Discussion followed.

Sheriff Rick Layher and Deputy Sheriff Laytreda Schultz appeared to discuss issues regarding the operations of the Sheriff’s Department. Deputy Schultz discussed the OHV (Off Highway Vehicles) Fund. Deputy Schultz stated the funding must be used for OHV only, for an annual education class and OHV patrols for registration checks. They have been putting the funds into the department’s general fund in years past, but now it must be kept separate to be used specifically for OHV. Sheriff Layher informed the Board of a complaint from an Oasis resident regarding a private air strip near his property. The resident states planes are flying low over his home and would like the Sheriff to investigate. Discussion followed.

Motion by Shaw, second by Hofer, to approve the Liquor License for the Desert Canyon Golf Course, for a change of owner’s name.

**SHAW..... -AYE**

**HOFER..... -AYE**

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

Motion by Shaw, second by Hofer, to approve Resolution No. 473-12, Adopting a Management Safety Policy for Elmore County.

**SHAW..... -AYE**

**HOFER..... -AYE**

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

**RESOLUTION NO. 473-12**

**A RESOLUTION ADOPTING A MANAGEMENT SAFETY POLICY FOR ELMORE COUNTY MAKING THE SAME A PART OF THE COUNTY’S PERSONNEL POLICY, AS IT MAY BE AMENDED FROM TIME TO TIME.**

**WHEREAS**, Elmore County is committed to providing the safest and healthiest possible working conditions for all its employees with the goal of decreasing the number of safety and health related accidents, injuries, property damage, and losses throughout the County, and;

**WHEREAS**, to assist in this goal, the County is adopting a Management Safety Policy and making the same a part of the Elmore County Personnel Policy, and;

**WHEREAS**, Elmore County maintains that the best source of protection for the health and safety of the work force is the individual employee. Therefore, it is the responsibility of all employees to strictly follow all safety and health policies and procedures.

**NOW, THEREFORE, BE IT RESOLVED** that the following Management Safety Policy be and the same is hereby adopted by the Elmore County Board of Commissioners and made a part of the Elmore County Personnel Policy Manual as it may be amended from time to time.

The safety of employees of Elmore County is of primary importance. Elmore County's goal is to provide safe working conditions and operating procedures that will ensure a safe work environment for all employees.

Accidents represent a needless waste of human resources and economic loss. A safe operation conserves human and material resources and is essential to efficient production.

All levels of management and supervision have a primary responsibility to determine safe work procedures and ensure safe working conditions. Supervisors and employees are expected to follow work methods and procedures established by the County.

These responsibilities can be met only by working continuously to promote safe work practices among all employees and to maintain property and equipment in a safe operating condition. By working together, we can maintain a safe and efficient organization.

**APPROVED AND ADOPTED** by the Elmore County Board of Commissioners in open session on this 9<sup>th</sup> day of April, 2012, with an immediate effective date.

**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 Wootan, to approve Resolution No. 474-12, Authorizing the destruction of certain Elmore County records.

**SHAW..... -AYE**

**HOFER..... -AYE**

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

**RESOLUTION NO. 474-12**

**AT A MEETING OF THE BOARD OF ELMORE COUNTY COMMISSIONERS, STATE OF IDAHO, ON THE 9<sup>TH</sup> DAY OF APRIL, 2012, THE FOLLOWING RESOLUTION WAS UNANIMOUSLY ADOPTED, TO WIT;**

**WHEREAS**, the Board of Elmore County Commissioners is permitted, pursuant to Idaho Code § 31-871(2), Idaho Code, to authorize the destruction of certain Elmore County Records; and

**WHEREAS**, the County of Elmore, acting through its Board of County Commissioners, has possession of numerous paper records which prove to be of no further purpose. The Clerk’s Office has made electronic copies of all of the following documents and will retain the electronic copies until a future date. These records consist of the following documents:

“Semipermanent Records” under Idaho Code §31-871 (a):

Auditors Certificates – Fiscal Years 2005and 2006

Monthly Financial Reports – Fiscal Years 2004, 2005, and 2006

Posting Reports – Fiscal Year 2006

Commissioner Approvals – Fiscal Years 2002, 2003, 2004, 2005, and 2006

Accounts Payable – Monthly Bills – Fiscal Years 2004, 2005, and 2006

“Temporary Records” under the Idaho Code §31-871 (a):

Tax Cancellations (Clerk Copy Only) – Fiscal Years 2003, 2004, 2005, 2006, 2007, 2008 and 2009

**NOW, THEREFORE, BE IT RESOLVED**, that the Elmore County Board of Commissioners in lawful meeting assembled hereby authorizes the destruction of the following paper records:

Auditors Certificates – Fiscal Years 2005, and 2006

Monthly Financial Reports – Fiscal Years 2004, 2005, and 2006

Posting Reports – Fiscal Year 2006

Commissioner Approvals – Fiscal Years 2002, 2003, 2004, 2005, and 2006

Accounts Payable – Monthly Bills – Fiscal Years 2004, 2005, and 2006

Tax Cancellations (Clerk Copy Only) – Fiscal Year 2003, 2004, 2005, 2007, 2008 and 2009

**DATED** this 9<sup>th</sup> day of April, 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 Shaw, second by Wootan, to recess as a Board of Commissioners and convene as a Board of Equalization.

**SHAW..... -AYE**

**HOFER..... -AYE**

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

Assessor Ron Fisher appeared to discuss an application for Cancellation of Taxes for reason of undue hardship for Brenda S. Wright. Last summer, Mrs. Wright found her domestic well water contaminated by a chemical causing her to break out in a severe rash. She needed to purchase water purifying equipment in order to use her well at a cost of \$6,000.00, including installation. In 2010, her home suffered smoke damage from an accidental fire, which she was responsible for a \$500.00 deductible. She applied for and was granted Tax Relief (Circuit Breaker), but failed to apply in 2009, 2010 or 2011. She has applied for 2012, and will be eligible for the Circuit Breaker. Mrs. Wright provided a financial statement as required in I.C. 63-711, and is requesting a cancellation of her taxes for 2011 in the amount of \$292.64. Commissioner Wootan is familiar with the individual, so he recused himself from the vote. Discussion followed.

Motion by Hofer, second by Shaw, to approve the Tax Cancellation Request for Brenda S. Wright for parcel #RP00086032001DA in the amount of \$292.64.

**SHAW..... -AYE**

**HOFER..... -AYE**

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

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

**SHAW..... -AYE**

**HOFER..... -AYE**

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

Idaho Power has donated a vehicle to the Extrication Department.

The National Day of Prayer is May 3, 2012. A prayer will be held on the Courthouse steps at noon.

Correspondence received by mail was reviewed.

Motion by Wootan, second by Shaw, to approve the Certificates of Residency for Heather Noelle Baker, Kari R. Brown, Justin Dennis Connolly, Kathy Jean Franck, Shayna Ariel Gross, Loretta Mae Hibbert, Cadee Lyn Holtgrewe, Kelsie Marie Hopkins, Chelsea Marie Junger, Patricia A. Keener, Charlotte Marie Kelly, Thaddeus M.C. Loomis, Nely Martinez, William James Mauriello, Timothy Lee Nichols, Alfredo Pedroza, Jesus Rodriquez, Alejandra Sanchez, Joseph Robert Spinazzolo, Samantha Louise Staebler, Daelene S. Tibbitts, Jessica Ann VanMeer, Bradshaw Isaac West and Charmaine Le West.

**SHAW..... -AYE**

**HOFER..... -AYE**

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

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**  
**so ordered.**

**Motion carried and**

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

K-06-10-15 Motion by Wootan, second by Hofer, to sign the Order of Dismissal. 50% of the case was paid by Crime Victims in 2011. In 2012, an Order of Restitution was granted. Elmore County is not the last resource. All providers who had an appeal have withdrawn.

**SHAW..... -AYE**

**HOFER..... -AYE**

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

K-12-11-07 Motion by Wootan, second by Hofer, to deny as not last resource. The applicant has been approved for Medicaid effective November 1, 2011 and will cover all bills on the application.

**SHAW..... -AYE**

**HOFER..... -AYE**

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

K-03-12-01 Motion by Wootan, second by Hofer, to deny as the applicant is not indigent. Applicant has discretionary income over 12 ½ times the monthly payment over five years. The treatment was not medically emergent. The application should have been sent in as a 10-day prior.

**SHAW..... -AYE**

**HOFER..... -AYE**

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

K-03-12-04 Motion by Hofer, second by Wootan, to deny as not indigent. Applicant has discretionary income over 2 ½ times the monthly payment over five years.

**SHAW..... -AYE**

**HOFER..... -AYE**

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

K-03-12-06 Motion by Hofer, second by Shaw, to deny as an incomplete application. The applicant refused to cooperate, not emergent treatment and Elmore County is not the last resource.

**SHAW..... -AYE**

**HOFER..... -AYE**

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

K-03-12-09 Motion by Hofer, second by Shaw, to deny as Elmore County is not the obligated county. Canyon County is the obligated county.

**SHAW..... -AYE**

**HOFER..... -AYE**

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

K-03-12-11 Motion by Wootan, second by Hofer, to deny as the applicant has discretionary income and does not appear to be medically indigent.

**SHAW..... -AYE**

**HOFER..... -AYE**

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

K-08-11-08 Motion by Wootan, second by Shaw, to approve for the medical procedure and submit bills to CAT.

**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 action was taken as a result of the Executive Session.

Chairman Shaw discussed a letter he received from two County Judges suggesting the County put together a plan for a new courthouse. Planning at the current time may be very beneficial to Elmore County Tax Payers because of the possibility of obtaining so-called stimulus funds for “shovel ready” projects and having a plan in place would be a key factor in being able to take advantage of such an opportunity. Chairman Shaw suggested getting a “concept drawing” done. Adding onto the Courthouse may be a more feasible option. An Elmore County Courthouse Committee will be formed and a meeting will be scheduled to discuss the idea.

Motion by Wootan, second by Hofer, to adjourn for lunch and a Jail Inspection.

**SHAW..... -AYE**

**HOFER..... -AYE**

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

Regular session resumed.

Motion by Shaw, second by Hofer, to add to the agenda and discuss a complaint from Rick Taylor regarding the airstrip in Oasis.

**SHAW..... -AYE**

**HOFER..... -AYE**

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

Alan Christy, Growth and Development Director, appeared to discuss a complaint by Rick Taylor regarding the private airstrip in Oasis. Mr. Taylor entered into an easement agreement with the owners of the airstrip (Red Baron Estates). Mr. Taylor sent an email to Mr. Christy stating his property is being harassed by low flying planes. He has taken photos of the planes flying over his property and wants the Sheriff to investigate the problem. Mr. Christy will put together a packet with all of the regulations regarding the airstrip and give it to Sheriff Layher so he can investigate the complaint.

Clerk Steele has received a request for copies of the Recorder's Office scanned plats, surveys and other documents from a Surveyor in Boise. Clerk Steele will get with Attorney Grant to set a fee for the request. The Surveyor also wants monthly updates of those recordings.

Steve West, Centra Consulting Inc., appeared to update the Board on solid waste issues. They are working on GPS identifications of the methane monitoring wells on the Bennett Road Land Fill. They found three of these wells, which were only drilled to a depth of twenty five feet below the ground surface. Groundwater was not encountered in any of these wells. It appears that a fourth wells is the only deep well with a drilling report. The well was drilled to 600 plus feet with no groundwater present. He will get the maps to the Board when they are completed. Mr. West talked to DEQ (Department of Environmental Quality) and BLM (Bureau of Land Management) and will be scheduling a meeting this week regarding the Glens Ferry Landfill Environmental Covenant Agreement. They are working toward a solution of an encroachment issue for a strip of land along the landfill, and hope to have the issue resolved in the near future.

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**