

**COMMISSIONERS MINUTES
JUNE 18, 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.

Sheriff Rick Layher and Jail Captain Lynn McCallum, appeared to discuss equipment requests. A mug shot camera program upgrade is needed because the current camera program they have is connected to the booking computers and do not function properly with the mug shot camera. The computer needs to be rebooted to start the mug shot process. The purchase of a new Emergency Restrain Chair is needed because the straps on the current chair are wearing out and are in need of replacement. The company that manufactured that chair no longer exists, so replacements parts are not available. An additional surveillance camera server is also needed to serve as a back-up for the current camera system. Requests for tazers, stun cuffs and a finger print machine repair were also discussed.

Motion by Hofer, second by Shaw, to approve the purchases of the Emergency Restrain Chair, three tazers and the Finger Print Machine repair in the amount of \$9,577.84. Commissioner Wootan is against the purchase of the three tazers.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -NAY

Motion carried and

so ordered.

Deputy Laytrede Schultz appeared to review the grant application approval for repairs and maintenance to Malcolmson's Snow Park. The grant was approved for \$4,600.00.

Motion by Wootan, second by Hofer, to sign and accept the grant for repairs and maintenance to Malcolmson's Snow Park.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Wootan, to add to the agenda and sign the grant application for Malcolmson’s Snow Park.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Randy and Ronda Avery, Idaho Waste Systems (IWS), appeared to give their 90 update. Ms. Avery reviewed annual fees for the Glens Ferry and Bennett Road Landfills. The Glens Ferry Landfill uses a back-hoe to load the landfill materials into the transfer trailer. The County pays rent to IWS each month for the use of the back-hoe. Commissioner Wootan has been researching a more cost effective solution to the monthly rental. Discussion followed. Ms. Avery discussed getting a Container Site Management Agreement together for the Bennett Road Landfill as there is no agreement on file that Ms. Avery can find. Attorney Grant feels that in order to comply with State Law, the management of the landfill should be put out for bid before signing an agreement with IWS. Mr. Avery has been working on the tire disposal issue. He has done some research and found that the USDA gives grants to governmental entities for tire disposal. Discussion followed. Ms. Avery reviewed the mitigation agreement. Attorney Grant stated there are still two major issues, daily tonnage and payment of freight. The amount of tons per day IWS will dispose of at no charge is currently sixty tons, based on 306 days per year. The county is requesting an increase to 120 per day and that the days of the year being increased to 365 instead of 306 days. Discussion followed. The requirements for a site monitor were discussed. Chairman Shaw stated the two major reasons he would require a site monitor would be to insure proper tonnage per day and to regulate what is being dropped into the landfill each day. The Community Service fund and the IWS grants were discussed. The proposed mitigation agreement states that IWS will contribute \$10,000.00 annually to the senior centers located in Elmore County to be allocated as determined by the Elmore County Commissioners. Discussion followed.

A Tax Recovery Appeal Hearing was held for Gregory Hunt. Mr. Hunt was denied a homeowner’s exemption for the years 2008 through 2010 by the Assessor’s Office, as it was deemed it was not his primary residence. A tree had fallen in Mr. Hunt’s yard and a neighbor had called the assessor’s office to find out who the owner was, because it seemed that the house was unoccupied. County Assessor Ron Fisher was made aware of the situation and began researching Mr. Hunt’s primary residence. Mr. Hunt has been having his mail forwarded to an address in Indiana since 2007. Mr. Hunt did not appear in person, but did present his case via telephone. Mr. Hunt provided a packet for the Board documenting monthly utility bills paid, one dental visit and one haircut in Mountain Home during the years in question. Mr. Hunt stated that since he is retired

from the military he travels lightly, but keeps his Mountain Home residence as his legal domicile. Assessor Fisher then presented his case. According to Idaho statute, to qualify for a homeowner's exemption, a home owner must occupy the residence for at least six months out of the year for it to be considered their primary residence. A person can own their home and pay utility bills through the mail, but that does not mean they are occupying the residence. Attorney Grant asked Mr. Hunt to provide bank statements showing consecutive debit card purchases at local Elmore County businesses or ATM withdrawals from local bank branches to signify that he has been living in Mountain Home and that it is his primary residence.

Motion by Shaw, second by Hofer, to approve the minutes for June 11, 2012.

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 \$55.96, payable to Idaho Power.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Hofer, to approve the Certificates of Residency for Anthony T. Fullmer, Jacob E. Smith and Janice D. Smith.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Hofer, 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 Fisher discussed a Casualty Loss Exemption Form for Allison Robinson on parcel # MHTR0000034900A. A recent storm broke a power line above her home. The live wire got caught on the roof of her home and started a fire.

Motion by Wootan, second by Shaw, to approve the Casualty Loss Exemption Form for Allison Robinson on parcel # MHTR0000034900A.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Assessor Fisher discussed the Tax Exemption Form for Xerox Corporation. Xerox leases document processing equipment to the public schools to be used for non-profit education purposes.

Motion by Shaw, second by Hofer, to approve the Tax Exemption Form for Xerox Corporation on parcel # PPPR0000355808A and PPPR0000355801A for the year 2012.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Wootan, to add to the Xerox Tax Exemption approval, the leased equipment for the entire Mountain Home School District.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

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

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

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

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Regular session resumed.

Carol Killian, Disaster Services, appeared and discussed her department inventory threshold. Ms. Killian stated that there are several items on her inventory list that the department doesn't have any more and questioned what the procedure is for removing these items from the list. Clerk Steele stated if the department no longer had the item, it can be removed from her list. Ms. Killian also discussed the South Fork Boise Levee and Lagoon Circle. Ms. Killian received a letter from the Army Corp of Engineers stating that the levee has not been maintained and according to an agreement from 1959, the County was responsible for maintaining the levee, but an actual signed agreement is not on file anywhere that she knows of. The Board suggested getting the Army Corps of Engineers to come back and re-evaluate the levee and go from there. Discussion followed. There was a power outage in Prairie for several days. Ms. Killian arraigned for the Sheriff's Office to deliver ice and the Red Cross to deliver water to residents if they were going to be without power for several more days. The Idaho Emergency Communications Commission is requiring all County hand held radios to have narrow banding upgrades by December 31, 2012, or the County will be non-compliant and charged a fine until the radios are upgraded. Discussion followed regarding the upgrade costs and how the costs will be covered. The new dispatch room in the Law Enforcement Building was discussed. There is still a question of what basement rooms are connected to the generator in case of a power outage. The Board took a recess to go to the Law Enforcement Building to meet Sheriff Rick Layher and Vence Parsons, Plant Facility Manager to discuss the issue.

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

Make the changes to the employee's letter and send it certified mail to the employee.

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-11-11-05 Motion by Shaw, second by Hofer, to approve the final approval and findings.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

K-03-12-09 Motion by Shaw, second by Wootan, to sign the Order of Dismissal as the provider withdrew their appeal.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

K-03-12-12 Motion by Shaw, second by Wootan, to sign the Order of Dismissal as the provider withdrew their appeal.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Clerk Steele discussed the Board of Equalization Tax Assessment Appeals and the timelines in which they need to be addressed.

Motion by Shaw, second by Wootan, to approve the decision following the June 11, 2012 Cherri Nix hearing.

SHAW..... -AYE

HOFER..... -RECUSED

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Wootan, second by Hofer, to issue the Notice of Proposed Personnel Action.

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