

**COMMISSIONERS MINUTES  
AUGUST 6, 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.

Bill Kelly, Commissioner of the Oasis Fire Protection District, Jolene Hobdey and Bob Ruth of the Oasis Fire Department and Alan Christy, Growth and Development Director, appeared to discuss the Oasis Events Center. Mr. Kelly stated there have been communication issues regarding the opening of this events center, in reference to regulations and conditions that need to be met. Mr. Ruth stated that the fire district also has concerns with wildfires, as the area is very dry and prone to fires at this time. The large amounts of people coming into the area for these events, who are not familiar with the fire “etiquette” at this time of year is a concern of the fire department and the residents in Oasis. The fire department has visited the events center and discussed these concerns with Mr. Lewis, owner of the events center. They told him he needs to comply with fire ban rules, such as cutting back weeds and grass fifty feet from the perimeter of the events center, which he has done. They also had concerns with the road into the venue. If there is a heavy rain or flash flood, emergency vehicles may have a difficult time maneuvering on the road, since it is only compacted gravel and is not paved. Mr. Ruth stated they approved the road for the event being held on August 10<sup>th</sup>, but the road would need further improvements and certification before they will approve any future events.

Motion by Shaw, second by Hofer, to add to the agenda and discuss job classifications for the Plant Facilities Department.

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

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

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

**Motion carried and**

Vence Parsons, Plant Facilities Manager, appeared to discuss job classifications. Mr. Parsons has two employees who are performing the same duties but were hired under different classifications. This is causing an issue with the hourly rate each employee is being paid. The payroll department will make the necessary adjustments and correct the job classifications.

Motion by Shaw, second by Hofer, to add to the agenda the discussion of the security system with Jim Durham, County Security.

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

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

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

Mr. Durham has to replace four cameras for the security system due to damage from a power surge and requested funding from the Board. The Board agreed to approve the purchase of the new cameras.

Motion by Shaw, second by Hofer, to approve the minutes for July 30, 2012 and August 1, 2012.

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

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

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

Motion by Shaw, second by Wootan, to approve the expenses in the amount of \$211,892.94.

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

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

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

Motion by Shaw, second by Wootan, to approve the Pest Abatement District Expenses in the amount of \$1,471.14. Centurylink - \$75.38, K&H Quick Lube - \$457.66 and Mountain Home Auto Ranch - \$938.10.

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

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

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

Motion by Hofer, second by Shaw, to approve the Catering Permit for Boise Beverage & Tobacco for Captain Harry's Oasis Event Center for an event to be held August 10, 11 & 12, 2012. The catering permit approval is based on the Oasis Events Center approval by Planning and Zoning.

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

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

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

Motion by Shaw, second by Hofer, to approve the Certificates of Residency for Arnoldo Gastelum, David Anthony Katsules, Gilberto Perez, Paul M. Latona and Dallan K. Rupp.

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

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

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

The Burn Ban Ordinance was discussed. In attendance were Larry Jewett, Bud Corbus and Brian Reed, local firefighters and Mountain Home Fire Chief Alan Bermensolo. The Board congratulated all the fire fighters in the County for the amazing jobs they have been doing to control several wildfires that have started in the past few weeks. Attorney Grant reviewed the draft of the burn ban ordinance. The ordinance will be implemented every year. A resolution can adjust the beginning and end dates of the ban according to conditions for that particular year. Attorney Grant will proceed with putting the ordinance into place.

Assessor Fisher appeared to discuss Casualty Loss Exemption forms for Mirl and Mary Kaye Jenks for parcel # MHTR0000445400A, parcel # MHTR0000404000A and parcel # MHTR0000402700A. A recent range fire burned approximately 15 to 20 acres of their land, including the manufactured homes.

Motion by Shaw, second by Wootan, to approve the Casualty Loss Exemption Form for Mirl and Mary Kaye Jenks for parcel # MHTR0000402700A to reduce the value to \$412.00 for 2012.

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

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

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

**Motion carried and**

Motion by Shaw, second by Wootan, to approve the Casualty Loss Exemption Form for Mirl and Mary Kaye Jenks for parcel # MHTR0000445100A to reduce the value to \$258.00 for 2012.

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

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

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

**Motion carried and**

Motion by Shaw, second by Hofer, to approve the Casualty Loss Exemption Form for Mirl & Mary Kaye Jenks for parcel # MHTR0000404000A to reduce the value to \$771.00 for 2012.

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

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

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

**Motion carried and**

Also reviewed were Casualty Loss Exemption Forms for Clyde L. Charbonneau on parcel # MHTR0000415300A, parcel #MHTR0000434200A and parcel #RP000040010130A. A recent range fire that burned 8 acres of his land, including manufactured homes and storage buildings.

Motion by Shaw, second by Hofer, to approve the Casualty Loss Exemption Form for Clyde L. Charbonneau for parcel # MHTR0000415300A to reduce the value to \$3,721.00 for 2012.

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

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

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

**Motion carried and**

Motion by Shaw, second by Wootan, to approve the Casualty Loss Exemption Form for Clyde L. Charbonneau for parcel # MHTR0000434200A to reduce the value to \$464.00 for 2012.

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

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

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

**Motion carried and**

Motion by Shaw, second by Wootan, to approve the Casualty Loss Exemption Form for Clyde L. Charbonneau for parcel # RP000040010130A to reduce the value to \$1,931.00 for 2012.

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

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

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

**Motion carried and**

Casualty Loss Exemption Forms for Joe & Marilyn Dunn for parcel #MTHR0000413600A, parcel #MHTR0000415100A and parcel # RP000040010110A. A recent range fire destroyed their manufactured homes, outbuildings and other improvements.

Motion by Shaw, second by Wootan, to approve the Casualty Loss Exemption Form for Joe & Marilyn Dunn for parcel #MHTR0000413600A to reduce the valuation to \$3,016.00 for 2012.

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

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

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

**Motion carried and**

Motion by Shaw, second by Hofer, to approve the Casualty Loss Exemption Form for Joe & Marilyn Dunn for parcel # MHTR0000415100A to reduce the valuation to \$1,659.00 for 2012.

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

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

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

**Motion carried and**

Motion by Shaw, second by Hofer, to approve the Casualty Loss Exemption Form for Joe & Marilyn Dunn for parcel # RP000040010110A to reduce the valuation to \$493.00 for 2012.

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

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

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

**Motion carried and**

The Mayfield Precinct voting location was discussed. Voting for the May election was held at the Koinonia Memorial Chapel, and some residents felt it was too out of the way. Commissioner Wootan will contact the Mayfield Precinct Committee woman to discuss the location further.

Motion by Shaw, second by Hofer, to approve Resolutions No. 478-12 and 479-12 concerning Title I, Title II & Title III Allocations.

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

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

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

**Motion carried and**

**BEFORE THE BOARD OF COMMISSIONERS**

**FOR ELMORE COUNTY**

In the Matter of the FFY 2012 )

Elections for **National Forest** )

**RESOLUTION NO. 478-12**

Related Safety-Net Payments )

WHEREAS, Congress enacted in 1908 and subsequently amended a law that requires that 25 percent of the revenues derived from National Forest lands be paid to states for use by the counties in which the lands are situated for the benefit of public schools and roads; and

WHEREAS, the principal source of revenues from National Forest lands is from the sale and removal of timber, which has been curtailed in recent years with a corresponding decline in revenues shared with counties; and

WHEREAS, the United States Congress recognized a need to stabilize education and road maintenance funding through predictable payments to the affected counties, and to achieve that goal enacted the Secure Rural Schools and Community Self-Determination Act of 2000 (“SRS 2000”), which was amended and re-authorized for

FFY 2008 - 2011 (“SRS2008”) and has been amended and re-authorized for FFY 2012 (“SRS2012”); and

WHEREAS, Title I of SRS2012 gives each eligible county the right to elect to receive either its traditional share of revenues from the National Forest lands pursuant to the Act of May 23, 1908 and Section 13 of the Act of March 1, 1911 (the “25-percent payments”), or instead to receive a guaranteed minimum share of the State payment pursuant to Sections 102(a)(1)(B) and 103 of SRS2012 (the “full county payment amount”); and

WHEREAS, an election to receive the full county payment amount is effective for federal fiscal year 2012; and

NOW, THEREFORE, be it resolved as follows:

1. Elmore County elects to receive its guaranteed minimum full county payment amount of its share of the Idaho SRS2012 payment pursuant to Sections 102(a)(1)(B) and 103 of SRS2012.
  
2. The original or a copy of this Resolution shall be transmitted to Seth Grigg at [sgrigg@idcounties.org](mailto:sgrigg@idcounties.org) or fax (208) 345-0379 by August 10, 2012.  
ADOPTED this 6<sup>th</sup> day of August, 2012.

**ELMORE COUNTY COMMISSIONERS**

**/S/ ARLEN O. SHAW, Chairman**

**/S/ ALBERT HOFER, Commissioner**

**/S/ WESLEY R. WOOTAN, Commissioner**

**ATTEST: /S/ BARBARA STEELE, Clerk**

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RESOLUTION NO. 479-12

WHEREAS, Congress enacted in 1908 and subsequently amended a law that requires that 25 percent of the revenues derived from National Forest lands be paid to states for use by the counties in which the lands are situated for the benefit of public schools and roads; and

WHEREAS, the principal source of revenues from National Forest lands is from the sale and removal of timber, which has been curtailed in recent years with a corresponding decline in revenues shared with counties; and

WHEREAS, the United States Congress recognized a need to stabilize education and road maintenance funding through predictable payments to the affected counties, and to achieve that goal enacted the Secure Rural Schools and Community Self-Determination Act of 2000, which was amended and re-authorized for FFY 2008 - 2011; and

WHEREAS, the United States Congress has re-authorized the Secure Rural Schools and Community Self-Determination Act for FFY2012 (“SRS2012”); and

WHEREAS, Title I of SRS2012 gives each eligible county the right to elect to receive either its traditional share of revenues from the National Forest lands pursuant to the Act of May 23, 1908 and Section 13 of the Act of March 1, 1911 (the “25-percent payments”), or instead to receive a guaranteed minimum share of the State payment pursuant to Sections 102(a)(1)(B) and 103 (the “full county payment amount”); and

WHEREAS, Elmore County elected in FFY 2012 to receive the guaranteed minimum full county payment amount pursuant to SRS2012 Sections 102(a)(1)(B) and 103; and

WHEREAS, an election to receive the full county payment amount is effective for all Federal Fiscal Year 2012; and

WHEREAS, any county electing to receive a full county payment amount that is \$100,000 or more must further elect to expend an amount not less than 15 percent nor more than 20 percent of its full county payment amount as project funds; and

WHEREAS, Title I, Section 102(d) of SRS2012 requires that counties electing to receive a full county payment amount of \$100,000 or more must allocate its project funds for between projects in accordance with Title II and Title III, and return the balance of project funds unspent under Titles II and III to the Treasury of the United States, and communicate such allocation to the Secretary of the United States Department of Agriculture; and

WHEREAS, Title II provides for special projects on federal lands or that benefit resources on federal lands, which projects are recommended by local resource advisory committees (“RACs”); and

WHEREAS, RACs recommend projects for consideration by the Secretary of Agriculture, with project funding supplied in whole or in part out of monies allocated for such purposes by participating counties; and

WHEREAS, counties that allocate funding to projects under Title II, and are participants in more than one RAC, may further direct that their Title II project funds be divided between different RACs according to an allocation decided by each participating county, with such funds held in the Treasury of the United States under the name of the county with a designation of the amount allocated to each RAC; and

WHEREAS, Title III provides for county projects, some of which are associated with federal lands, with Title III authorizing expenditures for search, rescue and emergency services, fire prevention and planning under the Firewise Communities program, and development of community wildfire protection plans; and

WHEREAS, a county with a full county payment amount of \$350,000 or more may not allocate more than 7 percent of its full county payment amount for Title III projects.

NOW, THEREFORE, be it resolved as follows:

1. Elmore County has elected to receive a full county payment amount that is \$100,000 or more, and hereby allocates 15% percent of its full county payment amount for expenditure on projects under Title II and Title III. Elmore County will return none (zero percent) of its full county payment amount to the Treasury of the United States.
2. Of the percent allocated to Title II and Title III projects above in paragraph 1, Elmore County further allocates between such Titles for FFY 2012 (for expenditure after FFY 2012) on the following basis: 15% percent of full county payment amount for expenditure on Title II projects and 0% percent of the full county payment amount for expenditure on Title III projects.
3. The original or a copy of this Resolution shall be transmitted to Seth Grigg at [sgrigg@idcounties.org](mailto:sgrigg@idcounties.org) or fax (208) 345-0379 by August 15, 2012.

ADOPTED this 6<sup>th</sup> day of August, 2012.

**ELMORE COUNTY COMMISSIONERS**

**/S/ ARLEN O. SHAW, Chairman**

**/S/ ALBERT HOFER, Commissioner**

**/S/ WESLEY R. WOOTAN, Commissioner**

**ATTEST: /S/ BARBARA STEELE, Clerk**

The Snake River Trash Hauling Contract was discussed. The additional charge to haul trash to Bennett Road Landfill instead of the Glenns Ferry Landfill was a temporary agreement, and Chairman Shaw feels that it needs to be addresses.

A final review of the FY2013 budget was done.

Motion by Shaw, second by Hofer, to approve the budget for FY2013 with one correction to be made to the Plant Facilities Budget.

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

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

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

**Motion carried and**

The Board discussed a per hour rate increase for the Planning and Zoning Attorney.

Attorney Grant has been in contact with Captain Lynn McCallum of the County Jail regarding the Jail Food Bid. Attorney Grant stated the contract needs to be put out for bid. He will check the qualifications of bidders and get the bid proposal to the Board for execution.

Motion by Shaw, second by Wootan, 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(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-12-11-06 Motion by Shaw, second by Hofer, to approve the charges from 11/16/11 through 11/18/11 per the medical review, with a reimbursement order of \$25.00 per month.

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

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

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

K-05-12-01 will be revisited at the next meeting to discuss the medical review findings.

Commissioner Wootan discussed the Glenns Ferry On/Off Ramp Project. He has spoken to the City of Glenns Ferry and the Highway District and they are in support of the project. The Highway District will be unable to contribute any funds to help the project get underway. Commissioner Wootan will follow up with the City of Glenns Ferry Mayor in regards to their contribution of funds for the project.

Motion by Shaw, second by Hofer, to add to the agenda and discuss the FY10 Project Award Grant for Juvenile Probation.

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

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

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

Attorney Grant and Steve Dye, Juvenile Probation Director, reviewed the FY10 Project Award. Mr. Dye stated that this grant had already been approved for \$7,000.00. The grant was to be used on a project in coordination with Canyon County to do video conferencing. Canyon County’s project got delayed, so the cost of the project will increase due to travel expenses, so he was awarded an extra \$1,000.00 to cover those expenses. The new grant paperwork in the amount of \$8,000.00 will need to replace the grant paperwork currently on file in the Clerk’s Office.

Motion by Shaw, second by Hofer, to approve the FY10 Project Award Grant with the increase and allow Chairman Shaw execute the award paperwork.

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

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

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

**Motion carried and**

The Idaho Waste Systems (IWS) Mitigation Agreement was discussed. There was a question of whether County trash coming in is kept separate from other commercial trash, so they know how much tonnage per day is actually County trash. Attorney Grant needs to contact IWS to find out how much tonnage is being hauled to the Bennett Road Landfill. Chairman Shaw stated that the costs for hauling should be revisited in the next few years. Commissioner Hofer also discussed purchasing a back hoe for the Glens Ferry Landfill, instead of renting the back hoe that is currently at the landfill. Discussion followed.

Records retention was discussed. Clerk Steele asked the Board how long they would like to retain recorded copies of the Commissioners minutes. The requirement is that the recorded minutes must be kept for two years. Paper copies of the minutes are never destroyed. Due to storage issues, they agreed to destroy any recordings older than two years, since there is a paper copy of the minutes available. A resolution will need to be executed for the destruction of the recorded copies.

Motion by Wootan, second by Shaw, to adjourn.

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

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

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

**Motion carried and**

**/S/ ARLEN O. SHAW, Chairman**

**ATTEST: /S/ BARBARA STEELE, Clerk**