

COMMISSIONERS MINUTES

FEBRUARY 25, 2013

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 Al Hofer, Commissioners Bud Corbus and Wes Wootan. Also present were Civil Attorney Buzz Grant, Clerk Barbara Steele and Deputy Clerk Shelley Hooper.

Motion by Hofer, second by Corbus, to approve the minutes for February 19, 2013.

HOFER -AYE

CORBUS..... -AYE

WOOTAN..... -AYE

Motion carried and so ordered.

Meals and lodging expenses were discussed.

Clerk Steele discussed the initial procedure employees follow when they get hurt at work.

Motion by Hofer, second by Corbus, to approve and sign Resolution No. 512-13 Catering Permit Applications.

HOFER -AYE

CORBUS..... -AYE

WOOTAN..... -AYE

Motion carried and so ordered.

RESOLUTION NO. 512-13

AT A MEETING OF THE BOARD OF ELMORE COUNTY COMMISSIONERS, STATE OF IDAHO, ON THE 25th DAY OF FEBRUARY 2013, THE FOLLOWING RESOLUTION WAS UNANIMOUSLY ADOPTED, TO WIT;

WHEREAS, Idaho Code §§ 23-934A and -934B, provides for the process of obtaining alcohol beverage catering permits (“Permits”); and

WHEREAS, under Idaho Code §§ 23-934A and -934B, county boards of commissioners shall upon the advice and recommendation of the sheriff approve or disapprove applications for Permits; and

WHEREAS, under many circumstances applications for Permits are needed on the weekends and evenings after the courthouse closes and as a result the Board of Elmore County Commissioners (the “Board”) desires to appoint any one county commissioner to approve or deny such Permits following receiving the prior written approval or written recommendation of denial or otherwise from the Elmore County Sheriff (“Sheriff”).

WHEREAS, nothing herein shall require an individual commissioner to act upon such Permits and any individual commissioner may elect to defer the action until a regular or special meeting of the Board.

NOW THEREFORE, BE IT THEREFORE RESOLVED, the Board of Elmore County Commissioners hereby appoints any one of the three Elmore County Commissioners, individually, to act on behalf of the Board for the sole purpose of approving or denying Permits, only in the instance where the Sheriff has previously approved the Permit in writing as evidenced by his signature on the Permit or the Sheriff has otherwise provided his recommendation in writing. Nothing herein shall require an individual commissioner to either approve or deny a Permit and the individual commissioner may elect to defer the action until a regular or special meeting of the Board.

Approved as a Resolution of the Elmore County Board of Commissioners effective on this 25th day of February 2013.

ELMORE COUNTY COMMISSIONERS

/S/ ALBERT HOFER, Chairman

/S/ FRANKLIN L. CORBUS, Commissioner

/S/ WESLEY R. WOOTAN, Commissioner

ATTEST: /S/ BARBARA STEELE, Clerk

The monthly Department Heads meeting was held.

Alan Roberts, Extrication Department, appeared to update the Board. Mr. Roberts discussed the possibility of a lean-to being added onto the Pine Ambulance/Sheriff's Department Joint Sub Station so his department can store extrication vehicles for use in the busy summer months in the Pine area. Currently, the equipment is being stored in Mountain Home. They had eighty plus rescue efforts for 2012, including extrication, medical assists and traffic control. Mr. Roberts discussed his department's efforts during the recent ice storm. The loss of personal property tax and the effects on non mandated funding, such as Extrication funding, was discussed.

Wade Baumgardner, Veterans Services Officer, appeared to review his monthly accomplishments. During a briefing at the Glenns Ferry VFW, Mr. Baumgardner discussed the VA's cutting red tape by eliminating the annual requirement to fill out the Eligibility Verification Report (EVR) and the average time frame for processing disability compensation claims. He has assisted several veterans with filing Notice of Disagreements regarding decisions made on their compensation claims. He has also had several requests for assistance with filing appeals for denied claims. His office has assisted twenty six veterans, spouses or family members this past month.

Mir Seyedbagheri, Extension Office, was unable to appear, but sent a monthly update for the Board.

Alan Christy, Land Use and Building Department, appeared to update the Board of his monthly accomplishments. Mr. Christy is anticipating getting his new department vehicle in the next few weeks. Two Planning and Zoning Commission members' terms are up in April. Mr. Christy does advertise the term limits annually, but has not received any applications for new members. Nine building permits were issued for the month of February. Mr. Christy reviewed the income from applications and building permits for FY 2013 to date. A Mountain Home community meeting regarding the Comprehensive Plan is scheduled for March 27th. Planning and Zoning will be conducting a work session on March 20th in regards to a possible zoning and ordinance amendment to clean up some additional items as well as add new regulations required by State Legislation.

Steve Dye, Juvenile Probation Director, appeared and reviewed his caseload summary and community service projects. The probation officers pending case loads have decreased, which allows them to spend more time in the field doing home visits. They currently have a very high number of high risk offenders. District Liaison Jason Stone, of the Department of Juvenile Corrections, appeared and reviewed the Annual Juvenile Justice Report.

Carol Killian, Disaster Services, appeared. She has been to several training classes this past month. The Bureau of Homeland Security (BHS) is revising some procedures. The Emergency Operation Plan will now be due every two years. It will be a shorter, revised version, available online, where she can edit and make changes online. Every county emergency operations plan is available to view as well. BHS has given her a Juniper, which is similar to an Ipad, which can take pictures, plot latitude & longitude and is computer compatible, and the device will be useful to document a disaster. The Emergency Operations Center will be getting rewired so it will be up and running in the event of another disaster.

Motion by Hofer, second by Wootan, to approve the Expenses in the amount of \$147,065.56.

HOFER -AYE

CORBUS..... -AYE

WOOTAN..... -AYE

Motion carried and so ordered.

Jennifer Crogg, Misdemeanor Probation, appeared and updated the Board on their monthly accomplishments. The total number on probation is one hundred eighty five. As of this date six were added to the case load and six were released or terminated from probation. The number of condition of release is forty three and there were two restitution cases for February. There are thirty eight people enrolled in Community Service, which are people on unsupervised probation only.

Motion by Hofer, second by Corbus, to approve the Certificates of Residency for Justin Dennis Connolly and Randy E. Scales.

HOFER -AYE

CORBUS..... -AYE

WOOTAN..... -AYE

Motion carried and so ordered.

The monthly Elected Officials meeting was held.

Assessor Ron Fisher appeared. April 15th is the deadline for home owners exemption and circuit breaker applications. He has sent several abstracts of property values to the State. His office has been reviewing Ag properties and has found that some Ag leases have expired, so they have sent out notices to update the leases for the Ag exemptions. Assessor Fisher explained the findings of the preliminary ratio study that he received back from the State.

Treasurer Rose Plympton appeared. Her office has been working on the three year tax deed properties. They have fifty eight delinquent properties remaining, but three individuals own a total of thirty five of those parcels. They have been working with property owners to find solutions to the delinquencies and are hopeful that by May the remaining number of properties will be significantly lower. They are also working on collecting personal property taxes. The National Day of Prayer will be held on Thursday, May 2nd in front of the Courthouse.

County Prosecutor Kristina Schindele appeared. The New Dawn software system should be up and running in her office very soon. The sentencing for the recent criminal trial will be held in early March. A possible contingency plan for dangerous weather conditions or other emergencies was discussed. If there is possibility of closing the courthouse in the event of an emergency, all offices can be closed by the Commissioners, with the exception of District Court. Attorney Grant will research the protocol which is needed to officially close District Court if an emergency arises.

Clerk Barbara Steele discussed the personal property tax issue and possible budget impacts. Her office will be holding the Glenns Ferry Mayoral recall election on March 12th at the VFW Hall in Glenns Ferry.

Sheriff Rick Layher appeared to discuss the expenses incurred by his deputies who work in the Pine/Featherville area and stay there during their work week.

Commissioner Wootan left the meeting.

Motion by Hofer, to approve Resolution No. 513-13 Amendment of Resolution 484-12 regarding Worker’s Compensation. Discussion followed and the issue was tabled until after a scheduled Executive Session.

Motion by Hofer, second by Corbus, to go into Executive Session pursuant to I.C. 67-2345(d) – 31-874 to discuss indigent applications. Roll call vote was taken.

HOFER -AYE

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

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

K-06-99-01 & K-05-12-01 Motion by Hofer, second by Corbus, to accept \$11,000.00 as payment in full for both cases. The liens will be released on both cases upon receipt of the \$11,000.00 by cash or cashiers check.

HOFER -AYE
CORBUS..... -AYE
WOOTAN..... -ABSENT **Motion carried and so ordered.**

K-01-13-15 Motion by Corbus, second by Hofer, to deny as applicant is not a resident of Elmore County, Ada County is the obligated county.

HOFER -AYE
CORBUS..... -AYE
WOOTAN..... -ABSENT **Motion carried and so ordered.**

K-01-13-11 Motion by Corbus, second by Hofer, to approve with all bills submitted to CAT as Elmore County has paid \$11,000.00 on this application for this CAT year. Reimbursement of \$10.00 per month with review the reimbursement order in six months.

HOFER -AYE
CORBUS..... -AYE
WOOTAN..... -ABSENT **Motion carried and so ordered.**

Motion by Hofer, second by Corbus, to approve Resolution No. 513-13 Amendment of Resolution No. 484-12 regarding Worker's Compensation.

HOFER -AYE
CORBUS..... -AYE
WOOTAN..... -ABSENT **Motion carried and so ordered.**

RESOLUTION NO. 513-13

AT A MEETING OF THE BOARD OF ELMORE COUNTY COMMISSIONERS, STATE OF IDAHO, ON THE 25TH DAY OF FEBRUARY, 2013, THE FOLLOWING RESOLUTION WAS UNANIMOUSLY ADOPTED, TO WIT;

WHEREAS, Elmore County has established a written personnel policy dated effective March 1, 1999, which policy has been amended from time to time (the "Personnel Policy"); and

WHEREAS, on August 13, 2012, the Board of Elmore County Commissioners (the "Board") passed and approved Resolution No. 484-12 amending the Personnel Policy; and

WHEREAS, the Board desires to amend and restate in its entirety Resolution No. 484-12 with this resolution, and after the date hereof, Resolution No. 484-12 shall be of no further force and effect; and

WHEREAS, the Board desires to expand and clarify the position of Elmore County as it pertains to how Elmore County will: (1) handle the payment of worker's compensation for employees injured at work: and (2) provide that employees on medical leave for work related injuries who are receiving worker's compensation payments may also claim, and be paid for, any "comp time" or vacation time that the employee has accrued, in amounts not to exceed the rate of compensation due any such employee at the time of such medical leave; and (3) permit work related injured employees to get paid for unclaimed and earned sick leave by endorsing and turning over workman's compensation wage loss benefits to Elmore County.

BE IT THEREFORE RESOLVED that the Board hereby amends the Personnel Policy as follows by the addition of the following:

In the event an Elmore County employee is injured at work and such employee is entitled to receive, and receives, wage loss benefits for such work related injury under Idaho's Workers' Compensation laws, such employee (the "Injured Employee") shall also be permitted to claim and be paid for earned and accrued "comp time," holiday pay and vacation time during such medical leave. The amounts of "comp time," holiday pay and vacation time shall be paid at the normal wage rate of the Injured Employee and shall be limited to the amount of the unused, unpaid "comp time" and vacation time accrued prior to the time of the medical leave. Once the "comp time," holiday pay and vacation time has been exhausted and provided the Injured Employee is still unable to return to work (full or part-time) and further provided the Injured Employee is still receiving wage loss benefits under Idaho's Workers' Compensation laws, such Injured Employee may elect to endorse and turn over to Elmore County any and all compensation and wage loss benefits for such work related injury the Injured Employee receives under the Idaho Workers Compensation programs and such Injured Employee shall receive payment for its full or part-time wages (based upon the weekly part-time hours such employee was working for three months prior to such work related injury) from Elmore County until such Injured Employee has exhausted any sick leave that such Injured Employee may have accrued. No such wage payment shall be made by Elmore County until such time as Elmore County receives from the injured employee the original endorsed check(s) for wage benefits from Idaho State Insurance Fund. After the Injured Employee has exhausted his or her "comp time," holiday pay, vacation time and any sick leave, the Injured Employee shall be limited to any compensation the Injured Employee may receive from the State of Idaho, Industrial Commission (Worker Compensation Program) and Elmore County shall not make up any difference between the amount received by the employee for Worker's Compensation wage loss benefits and the employee's normal wage rate.

For peace officers and detention officers meeting the requirements of Idaho Code § 72-1104 and eligible to receive workers compensation wage loss benefits, Elmore County shall pay the employee its full amount of base wages for such time as the peace or detention officer is entitled to receive, and receives, wage loss benefits for such work related injury under Idaho's Worker' Compensation laws

and such employee shall endorse and turn over to Elmore County any and all compensation and wage loss benefits for such work related injury the employee receives under state workers compensation programs. Additionally, such employee shall further cooperate with Elmore County so that the county may obtain and collect reimbursement for amounts it paid to such employee under the peace officer and detention office temporary disability fund as established by Idaho Code § 72-1105.

Approved as a Resolution of the Elmore County Board of Commissioners effective on this 25th day of February 2013.

ELMORE COUNTY COMMISSIONERS

/S/ ALBERT HOFER, Chairman

/S/ FRANKLIN L. CORBUS, Commissioner

/S/ WESLEY R. WOOTAN, Commissioner

ATTEST: /S/ BARBARA STEELE, Clerk

Motion by Hofer, second by Corbus, to approve the Meal Expense Reimbursement Policy letter regarding meals during the Trinity Ridge Fire.

HOFER -AYE

CORBUS..... -AYE

WOOTAN..... -ABSENT

Motion carried and so ordered.

Motion by Hofer, second by Corbus, to adjourn.

HOFER -AYE

CORBUS..... -AYE

WOOTAN..... -ABSENT

Motion carried and so ordered.

ALBERT HOFER, Chairman

ATTEST:

BARBARA STEELE, Clerk