

COMMISSIONERS MINUTES

DECEMBER 15, 2014

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, Civil Attorney Buzz Grant, Clerk Barbara Steele, and Deputy Clerk Shelley Hooper.

Dave Humpherys, Extension Office, appeared and reviewed the Noxious Weed Cost Share Request.

Motion by Wootan, second by Hofer, to approve and sign the Noxious Weed Cost Share Request.

HOFER -**AYE**
CORBUS -**AYE**
WOOTAN -**AYE**

Motion carried and so ordered.

Michael Simmonds and Steven Turney, representing ZGA Architects, Alan Christy, Land Use and Building Department Director and Judge Epis appeared to discuss the courthouse assessment proposal from ZGA. The board asked what they would physically receive once each phase of the assessment is completed. Mr. Simmonds stated that there will be a master document showing county properties and buildings included in the plan. There will be narratives and graphics, which will depict buildings being remodeled and any additions or new buildings being added. It will be a very detailed plan, including budgeting information as well. Judge Epis stated that the state has drafted a new set of courthouse guidelines based on a prior assessment several courthouses have participated in. The guidelines will need to be incorporated into the assessment.

Rosie Castle and Frank Brady, representing the Red Baron Estates Homeowners Association (HOA) and Dawn McClure, representing the Soles Rest Creek Homeowners Association (HOA), appeared to update the board on the status of a Memorandum of Understanding (MOU) between the two HOA's. Ms. McClure stated they were able to work out a mutually beneficial MOU. The two groups have opened up a great line of communication and have specific contacts for each group to resolve any issues they may have. An original signed MOU was given to the board. Continued deliberation of the appeal of the CUP was scheduled for December 22, 2014 at 2:00 pm.

Motion by Hofer, second by Corbus, to add to the agenda an update from Commissioner Corbus on the Mountain Home animal shelter as a follow up of last week's discussion.

HOFER -**AYE**
CORBUS -**AYE**
WOOTAN -**AYE**

Motion carried and so ordered.

Commissioner Corbus spoke with the Mountain Home Police Chief and the Mayor regarding the discussion of the yearly expenses incurred at the animal shelter. Both parties have agreed that the county would contribute \$3,000.00 per year to the city help with expenses at the animal shelter.

Motion by Hofer, second by Corbus, to approve the minutes for December 8, 2014.

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

Clerk Steele reviewed a three year total that the county has paid for county vehicle maintenance. The pros and cons of the county having their own mechanic to maintain county vehicles were discussed.

Commissioner Corbus updated the board of a meeting he attended at the Pine Ambulance building. Heating the building to keep supplies in the ambulance warm was discussed. Also discussed was an issue of ambulances stationed in Mountain Home responding to Pine each time the Pine ambulance is called out. The requirements for installing a helipad near the Pine Ambulance building were discussed. Commissioner Corbus stated that the groomer has been used to pull stranded vehicles from roads that have been closed due to winter weather. These roads have posted road closed signs, but individuals still try to navigate the roads and end up getting stuck in deep snow. There was a question of whether the individuals can be charged a fee for the groomer to pull their stranded vehicle out.

Motion by Hofer, second by Corbus, to add to the agenda the general discussion of the county ambulance service and the groomer services.

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

Motion by Hofer, second by Wootan, to approve Tax Cancellation No. 1265 Helen G. Hall-\$49.58.

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

Motion by Hofer, second by Corbus, to approve the Ambulance District Expenses in the amount of \$710.61, payable to Pine Resort, LLC-\$260.91 and Elmore County Pine Featherville Volunteer Service-\$449.70.

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

Motion by Hofer, second by Wootan, to approve the Certificate of Residency applications for Kari Kaelene Beaty, Eduardo Dominguez, Patrick S. Duvall, Oscar Gomez Rangel, Marco Antonio Grajeda, Beatriz Guevara, Christine M. Hammond, Blaine Thomas Jewett, Zachary Ryan Lish, Lionel S. Lopez, Melissa Anne McFadden, Hannah Elisabeth Mouritsen, Bradshaw I. West, Charmaine L. West Jaimie Kaitlyn Bonorato and Jared Neil Day.

HOFER -AYE
CORBUS -AYE
WOOTAN -AYE

Motion carried and so ordered.

Attorney Grant discussed open meeting laws for commissioners meetings and posting agendas.

Angela Hanson and Gary Glassing, representing CTA Architects, appeared to discuss their proposal for a courthouse assessment. Judge Epis and Alan Christy also joined the discussion. Chairman Hofer asked for an explanation of what the county will physically end up with once the assessment is complete. Mr. Glassing stated that there will be a report comprised of the existing layout of the courthouse and county offices, projections of staffing needs down the road

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

HOFER -AYE
CORBUS -AYE
WOOTAN -AYE

Motion carried and so ordered.

Regular session resumed.

Sheriff Rick Layher, Chief Deputy Mike Barclay and Deputy Bobby Wade appeared to update the board. Employee time cards were discussed. The pine dumping area was also discussed.

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 -AYE

Motion carried and so ordered.

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

K-11-14-01 Motion by Corbus, second by Wootan, to deny as the applicant failed to cooperate and a medical review needs to be performed to determine medical necessity and emergency treatment.

HOFER -AYE
CORBUS -AYE
WOOTAN -AYE

Motion carried and so ordered.

K-11-14-04 Motion by Corbus, second by Wootan, to deny as the applicant has medical insurance effective as of 11/01/14. Elmore County is not the last resource.

HOFER -**AYE**

CORBUS -**AYE**

WOOTAN..... -**AYE**

Motion carried and so ordered.

K-12-14-02 Motion by Corbus, second by Wootan, to deny as the application was not timely filed per Idaho Code 31-3505(5). The letter filed with the application does not meet the criteria for filing a 180 day delayed application.

HOFER -**AYE**

CORBUS -**AYE**

WOOTAN..... -**AYE**

Motion carried and so ordered.

Deliberations were held regarding the appeal hearing for CUP-2014-11, Idaho Country Concerts, LLC.

The time frames in which the applicant needs to have written agreements in place were discussed first. Conditions #6, #7 and #9 currently state that the applicant shall enter into the agreements and provide evidence of the same no less than sixty (60) days prior to the event. The board feels that sixty (60) days does not leave enough time for any issues to be resolved and would like that changed to one hundred twenty (120) days.

Commissioner Wootan discussed extra water storage and would like a condition added that adequate water storage must be available on site to be used for fire suppression.

The board had a lengthy discussion regarding the event causing increased fire threats and concerns for adequate fire suppression equipment to be available for use at the event site and the general vicinity. The need for an incident commander was also discussed, as was the need for the applicant to have agreements in place with the surrounding landowners, including the Bureau of Land Management and the Forest Service for fighting fires on their lands.

Chairman Hofer read the twelve required findings.

In reference to the required finding #12, traffic issues in the vicinity of the event site and the surrounding towns were discussed.

After lengthy deliberations, the board decided that the following be added to the conditions:

Condition #6: The applicant shall enter into a written agreement with the County Sheriff’s Office and provide evidence of the same no less than one hundred twenty (120) days prior to the event.

Condition #7: The applicant shall enter into a written agreement with Elmore Ambulance Service and provide evidence of the same no less than one hundred twenty (120) days prior to the event. The medical plan will be communicated to the County Medical Director.

Condition #9: The applicant shall enter into a written agreement with a wildland firefighting agency and/or entity and provide evidence of the same no less than one hundred twenty (120) days prior to the event. There will be two brush trucks and one structure truck on site to provide fire suppression services. Each truck will have a full staff on site 24-7. They will be capable of communicating with surrounding firefighting agencies, the Bureau of Land Management and the Forest Service. The firefighting agency will be qualified in accordance with the Idaho Department of Lands criteria.

Attorney Grant reviewed the statutory concerns included in the appeal. The concerns are as follows:

1. According to Section 6-27-4(I) of Elmore County Code, the proposed use and CUP, as issued, will cause detrimental impacts to agriculture. The board finds that with the conditions, it does not cause detrimental impacts to agriculture.

2. According to Section 6-27-4(J) of the Elmore County Code the decision making body may require additional conditions to mitigate impacts in the following conditions: Standards that relate to the emission of noise, vibration and other potentially objectionable impacts, limits on the time of day for the conduct of the specified use, period within which the permit shall be exercised or otherwise lapse and other standards necessary to protect public health, safety and welfare and to mitigate adverse impacts on surrounding property. The board finds that with the conditions, the CUP meets those requirements.

Attorney Grant will draft a written opinion for the board to review at their next deliberation session which will be held next Monday, December 22nd at 3:00 pm.

Judge Hicks and Emma Scott-Landers appeared to discuss the Drug Court Program budget. Ms. Scott-Landers spoke with her grant manager regarding status of the grant adjustment she submitted. It is still pending and she should have official word on the status the first week of January. The full time status of the probation officer was discussed. Chairman Hofer explained to Judge Hicks that the remainder of the probation officer's salary that is no longer covered by grant funding will be paid by the county on a month to month basis while Ms. Scott-Landers finds new grant funding to cover the shortfall. Most grants come open at beginning of the year and she will research any available grants as they become available. She is currently researching a grant that may be used to build a Safe and Sober House for participants. Grant funding for public defender services was discussed. Chairman Hofer asked where the funding for the public defender services will come from now that the grant that was funding these services has gone away. Judge Hicks and Ms. Scott-Landers were under the impression that the services would not be billed for once funding went away. They will review the hourly billing and research if additional grant

funding may be available. The successes and positives of the program were discussed. The next graduation is scheduled for February 3, 2015.

Motion by Hofer, second by Corbus, to adjourn.

HOFER -**AYE**

CORBUS -**AYE**

WOOTAN -**AYE**

Motion carried and so ordered.

/S/ WESLEY R. WOOTAN, Chairman

ATTEST: /S/ BARBARA STEELE, Clerk