

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.

A Public Hearing was held to open the budget to receive unanticipated revenue in the form of grant funds for an Emergency Communications grant in the amount of \$2,000.00, a Juvenile Probation grant in the amount of \$2,163.10 and a Fair Department grant in the amount of \$1,000.00. The budget will also need to be opened to transfer funds in the amount of \$750,050.00 from PILT to Current Expense to cover structure truck expenses of the Trinity Ridge, Elk and Little Queens Fires, and to transfer funds in the amount of \$100,000.00 from PILT to Capital Improvement to cover expenses for the new storage building at the Jail. No public was present.

Motion by Hofer, second by Wootan, to suspend the reading of Resolution No. 540-14 and refer to it in title only.

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

Motion carried and so ordered.

Motion by Hofer, second by Wootan, to approve Resolution No. 540-14 opening of the budget to receive unanticipated revenue in the form of grant funds, to transfer funds from PILT to Current Expense for expenses due to the Trinity Ridge, Elk Complex and Little Queens fires and to transfer funds from PILT to Capital Improvement to cover expenses for the new storage building at the Jail.

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

Motion carried and so ordered.

RESOLUTION NO. 540-14

A RESOLUTION AMENDING THE BUDGET OF THE ELMORE COUNTY GOVERNMENT TO PROVIDE CONTINUING FUNDING AND ADJUST FOR CHANGES IN SPENDING PRIORITIES.

WHEREAS, The Board of Commissioners of Elmore County have the authority and duty under Article XVIII, Section 6 of the Idaho Constitution and Title 31, Chapter 6 of the Idaho Code to provide funding operations of the Government of Elmore County for expenditure of those funds; and

WHEREAS, The Board considered this adjustment to the 2014 County budget during a regular session on January 13, 2014 and the need to amend the County budget has been satisfactorily demonstrated to the Board of Commissioners.

IT IS HEREBY RESOLVED:

- 1. That \$750,050.00 from line item 138.338.00.099.00 PILT, be transferred to revenue line item 100.300.00.098.00 Current Expense to cover the structure truck expenses of the Trinity Ridge, Elk, and Little Queen fires. Expense lines items to be increased by \$410,000.00 for Trinity Ridge - 100.406.02.034.00, \$214,660.00 for The Elk - 100.406.02.036.00, and \$125,390.00 for the Little Queens Fire - 100.406.02.037.00.
- 2. That \$100,000.00 from line item 138.338.00.099.00 PILT, be transferred to revenue line item 650.850.00.098.00 Capital Improvement to cover expenses of the new storage building at the Jail. The expense line item in Capital Improvement to be increased by \$100,000.00 - 650.950.02.022.00.
- 3. To recognize that unanticipated revenue was received for an Emergency Communications grant in the amount of \$2,000.00, a Juvenile Probation grant in the amount of \$2,163.10 and a Fair Department grant in the amount of \$1,000.00. Expense line items to be increased accordingly by the separate grant amounts.
- 4. That this resolution shall be effective January 13, 2014.

PASSED, at a regular meeting of the Elmore County Board of Commissioners in the County of Elmore, State of Idaho, held on the 14th day of January, 2014, upon which roll call vote was duly taken and said Resolution duly passed by a unanimous vote.

ELMORE COUNTY COMMISSIONERS
 /S/ **ALBERT HOFER, Chairman**
 /S/ **FRANKLIN L. CORBUS, Commissioner**
 /S/ **WESLEY R. WOOTAN, Commissioner**
ATTEST: /S/ BARBARA STEELE, Clerk

The commissioners received and discussed a voicemail from Lynn McCallum regarding concerns he has with finances at the jail.

Motion by Hofer, second by Wootan, to approve the minutes for December 23, 2013.

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

Motion carried and so ordered.

Motion by Hofer, second by Wootan, to approve the minutes for December 30, 2013.

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

Motion carried and so ordered.

Steve Demali, Elmore County Animal Damage Control Representative, Todd Grimm, USDA Wildlife Services Program and Jared Hedelius, Wildlife Specialist, appeared to update the board of the Animal Damage Control program and request additional funding. Mr. Grimm reviewed a summary of work and livestock animals he was trying to protect. It was a fairly slow year for conflicts involving wolves. They believe the wildfires kept livestock out of the areas where wolf conflicts would take place. Mr. Grimm stated there are five Animal Damage Control Districts in the state. Elmore County is in District 2. District 2 consists of ten counties and has gone from funding four plus trappers per year to only funding two trappers per year, which leaves a large area to cover. The 2013 sequester hurt the program and they are not sure what 2014 will bring as they have not received an allocation of funds yet. Mr. Grimm explained where they get their funding. Currently, Elmore County gives the program \$4,000.00 annually. Mr. Grimm stated that they would like to see another trapper in District 2. Discussion followed and the board agreed to increase the annual contribution for the Animal Damage Control program to \$8,000.00 annually.

Motion by Wootan, second by Corbus, to increase the annual donation to the Animal Damage Control program from \$4,000.00 to \$8,000.00 annually.

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

Motion carried and so ordered.

An update from the Department of Environmental Quality regarding the arid exemption soil investigation report at the Bennett Road Landfill was discussed.

The board received a document from the Bureau of Land Management reserving a buffer zone right-of-way around the Glenns Ferry Landfill. The reserved right-of-way area is three hundred thirty feet wide, five thousand two hundred eight feet long, respectively and contains forty acres, more or less.

Motion by Hofer, second by Corbus, to approve the Recorder’s Office Report, Clerk’s Bail Bond report and the Treasurer’s Office Report for the record only.

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

Motion carried and so ordered.

Motion by Wootan, second by Corbus, to approve the Ambulance District Expenses in the amount of \$748.68, Valley Co-Ops - \$725.68 and Idaho Transportation Department - \$23.00.

HOFER -AYE

CORBUS -AYE

WOOTAN -AYE

Motion carried and so ordered.

Mir Seyedbagheri, County Extension Office, sent the board an email, requesting a wireless router for his office so two employees can access the internet with laptops in the basement or away from their desks. He would also like to allow 4-H leaders and youth access to the internet while in the office, using their own personal laptops. Jon Hunt, of Stephenson’s Computer Consulting, the county’s IT company, was on speaker phone and explained how public access to the internet would work if he was to put a router in the Extension Office. Each individual requesting access to the internet will need to sign a confidentiality agreement to receive access to the internet. Mr. Hunt will follow up with the Extension Office and the board in regards to what is needed for the wireless router install.

Sheriff Rick Layher and Chief Deputy Mike Barclay appeared to update the board. Sheriff Layher discussed the drug task force and Deputy Barclay gave statistic on seizures made by the department’s drug dog. Sheriff Layher stated that staff issues are declining and employee morale is increasing. They have hired a new jail commander who will be starting today. They are holding more interviews tomorrow for the position in Pine. They currently have deputies covering the shifts until a permanent replacement is found. Sheriff Layher also discussed promotions he would like give within his department and how he will work the salary increases into this year’s budget. He asked if those salary increases will stay in his budget next year. Sheriff Layher stated that in the last few years he hasn’t promoted any personnel into supervisor positions, as he has been trying to find the right personnel to fit the positions, so he has been going without supervisors. He met with the commissioners two years ago and got permission to use some of the money from a vacant position to hire new supervisors, but never hired anyone, so the money was taken out of his budget the next budget year. Commissioner Wootan stated that he recalled that the extra money went to pay increases for other deputies. Sheriff Layher stated that it did not, that it was taken away when his budget was reviewed for the next year. Now he has filled the supervisor positions and stated that the promotions will mean pay increases. He has room in his current budget to cover the increases but asked whether the increases will be included in next year’s budget. Commissioner Corbus stated that he would like to see actual figures for the pay increases so everyone is on the same page and that next year’s budget can be assessed. Sheriff Layher stated that this issue should never happen again, because these promotions will finally put his deputies at the pay level they should be at. He also stated that if these deputies leave, new hires won’t start at that pay level, they will start at a lower pay level. Deputy Barclay will review the salary increases with Clerk Steele later today to see how the increases may impact next year’s budget. If there is an overage, Sheriff Layher stated that he would be fine with taking it from his overtime or extra help line items. Sheriff Layher questioned what happens if in mid budget, an officer with several years of duty with the county leaves and he hires a new officer at a lower salary, can he keep the excess money in his budget. Clerk Steele stated that if that were to happen, they

can shift the excess to another line item for use elsewhere in his budget. Discussion followed. The department will be retiring a drug dog and Deputy Barclay would like to take possession of the dog.

Motion by Wootan, second by Corbus, to approve the sale of the Sheriff’s Department drug dog to Chief Deputy Mike Barclay for the sum of \$25.00.

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

Motion by Hofer, second by Wootan, to go into Executive Session pursuant to I.C. 67-2345(d) – 31-874 to hold a Hearing of Continuation on case K-09-13-06. Roll call vote was taken.

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

A Hearing of Continuation was held on case K-09-13-06. Present at the hearing were Chairman Al Hofer, Commissioners Bud Corbus and Wes Wootan, Civil Attorney Buzz Grant, Clerk Barbara Steele, Deputy Clerk Shelley Hooper, Social Services Director Marianne Bate. Attorney Grant suggested the hearing be continued until 1:30 pm as the board is running late, no individuals appeared for this hearing and there is another hearing scheduled at this time with the applicant of that hearing already present. The hearing was closed.

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

K-09-13-06 Motion by Hofer, second by Wootan, to continue the hearing until 1:30 pm.

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

Motion by Hofer, second by Corbus, to go into Executive Session pursuant to I.C. 67-2345(d) – 31-874 to hold a Hearing of Continuation on case K-10-13-04. Roll call vote was taken.

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

A Hearing of Continuation was held on case K-10-13-04. Present at the hearing were Chairman Al Hofer, Commissioners Bud Corbus and Wes Wootan, Civil Attorney Buzz Grant, Clerk Barbara Steele, Deputy Clerk Shelley Hooper, Social Services Director Marianne Bate, Chavon Lewis, representing St. Alphonsus Regional Medical Center, and the applicant. Questions were asked and answered and the hearing was closed.

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

K-10-13-04 Motion by Wootan, second by Hofer, to approve with a reimbursement order of \$40.00 per month and 50% of Federal and State tax refunds as payment, with applicant to meet with Social Services Department in one year to update financial status and discuss an increase of reimbursement.

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

Motion carried and so ordered.

Motion by Hofer, second by Corbus, to approve the Certificate of Residency applications for Jared Neil Day, William I. Etherington, April Christine Mills, Joseph R. Spinazzolo, Jeremiah S. Allies, Derek S. Arel, Bradley Combs, Amy M. Kinnan, Cory J. Pinque, Andrew S. Roberts and Janet M. Wallace.

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

Motion carried and so ordered.

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

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

Motion carried and so ordered.

Regular session resumed.

Motion by Hofer, second by Wootan, to go into Executive Session pursuant to I.C. 67-2345(d) – 31-874 to hold a Hearing of Continuation on case K-09-13-06. Roll call vote was taken.

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

Motion carried and so ordered.

A Hearing of Continuation was held on case K-09-13-06. Present at the hearing were Chairman Al Hofer, Commissioners Bud Corbus and Wes Wootan, Civil Attorney Buzz Grant, Clerk Barbara Steele, Deputy Clerk Shelley Hooper, Social Services Director Marianne Bate and Social Services Assistant Candi Hinton. Questions were asked and answered. The hearing was closed.

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

K-09-13-06 Motion by Hofer, second by Corbus, to take the case under advisement.

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

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

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-11-13-03 Motion by Corbus, second by Hofer, to sign an Order of Dismissal. Idaho Elk’s Rehab appealed the denial and withdrew the appeal.

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

K-12-13-01 Motion by Corbus, second by Wootan, to deny as the applicant is not indigent. The applicant is able-bodied and able to pay the bills over five year.

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

K-12-13-05 Motion by Corbus, second by Wootan, to deny as the applicant is not indigent. The applicant is able-bodied and able to pay the bills over five year.

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

K-12-13-02 Motion by Corbus, second by Wootan, to suspend the application as a crime victims application has been filed and Elmore County is not the last resource.

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

K-12-13-08 Motion by Wootan, second by Corbus, to approve with a reimbursement order of \$40.00 per month and 50% of Federal and State tax refunds as payment. Review amount of monthly payment after one year.

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

K-12-13-11 Motion by Wootan, second by Corbus, to approve with a reimbursement order of \$50.00 per month to begin on June 15, 2014 and 50% of Federal and State tax refunds beginning in 2015. Review amount of monthly payment after one year.

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

Motion carried and so ordered.

K-01-14-01 Motion by Wootan, second by Corbus, to deny as St. Alphonsus Regional Medical Center filed the application then withdrew the application as the applicant has worker’s compensation.

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

Motion carried and so ordered.

K-09-13-02 Motion by Wootan, second by Corbus, to approve for cystoscopy scheduled for January 21, 2014.

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

Motion carried and so ordered.

A short recess was taken.

Regular session resumed.

Assessor Ron Fisher appeared to review two tax cancellation applications due to hardship. The first application was submitted by Marcene Sievers. Ms. Sievers appeared to explain her circumstances regarding the request for cancellation of her taxes.

Motion by Corbus, second by Wootan, to take the tax cancellation application for Marcene Sievers under advisement.

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

Motion carried and so ordered.

The second tax cancellation application was submitted by Betty Davis. Betty and Wesley Davis also appeared to explain their circumstances regarding their request for cancellation of their taxes.

Motion by Wootan, second by Hofer, to take the tax cancellation application for Betty Davis under advisement.

HOFER -**AYE**

Motion by Hofer, second by Corbus, to approve the payroll for December 2013 in the amount of \$385,978.53.

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

Motion carried and so ordered.

Motion by Hofer, second by Wootan, to approve the expenses in the amount of \$505,029.37.

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

Motion carried and so ordered.

Motion by Hofer, second by Wootan, to approve that vehicles owned by Elmore County shall not be used for personal use, except as follows:

The following individuals may to take an assigned county vehicle home each night (including de minimis personal use, i.e. stopping at the store on the way home from work) as set forth in this motion and in the Elmore County Vehicle Use Policy:

1. County Assessor;
2. County Extension Agent;
3. Jail Commander;
4. Weed Control Coordinator (limited to loaded spraying trucks during spraying operations only);
5. Civil Process Server; and
6. Those law enforcement officers assigned to a county patrol vehicle meeting the following Internal Revenue Guidelines:
 - a. Marked Vehicles:
 - i. Marked law enforcement vehicle by words or painted insignia;
 - ii. The employee is always on call;
 - iii. The employee is required to use the vehicle for commuting; and
 - iv. The Elmore County Sheriff’s Office (ECSO) prohibits the personal use (other than commuting) for travel outside of the officer’s jurisdiction.

OR

- b. Unmarked Vehicles:
 - i. The ECSO authorized the personal use of the vehicle;
 - ii. Any personal use must be incidental to the use for law-enforcement purposes (i.e. no vacation or recreational use permitted);
 - iii. Limited to ECSO law enforcement vehicles; and
 - iv. The vehicle must be used by a full –time law enforcement officer. A law enforcement officer for this purpose is an officer who regularly carries firearms, executes warrants and makes arrests.

-The foregoing individuals shall be permitted to commute to and from work in the assigned county owned vehicle and de minimis personal use. Recreational or vacation use of a county vehicle is not permitted under any circumstances.

-Commuting and other de minimis personal use of a county owned vehicle may subject the assigned individual to income tax obligations for such use and Elmore County shall report such use and its estimate of the valuation, according to the IRS regulations (IRC § 274(d), IRS Regs. §§1.132-6, 1.61-21, and 1.62) to the Internal Revenue Service.

-All elected officials or employees, excluding the exempt law enforcement officials and employees listed in paragraph 6 above, shall be required to maintain a log listing the personal and business use of the assigned county vehicle by date, description and miles driven.

-All other use of county owned or leased vehicles shall be limited strictly to county business and there shall be no commuting or other personal use of county vehicles except for a de minimis personal use in connection with use of the vehicle for a county purpose (such as driving to lunch while out of the office on county business), except as set forth above. Discussion followed regarding citizens on patrol (COPS) and reserve officers and how they would be classified. Due to the discussion, Commissioner Corbus felt that certain department heads and elected officials who would be affected by this policy should be present to discuss this issue that it should be tabled until the next meeting. Attorney Grant will draft a resolution for review. Chairman Hofer withdrew his motion and Commissioner Wootan withdrew his second.

Motion by Hofer, second by Corbus, to go into Executive Session pursuant to I.C. 67-2345(f) to discuss a pending litigation. Roll call vote was taken.

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

Motion carried and so ordered.

Regular session resumed. No decision was made as a result of the Executive Session.

Motion by Wootan, second by Hofer, to adjourn.

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

Motion carried and so ordered.

/S/ ALBERT HOFER, Chairman
ATTEST: /S/ BARBARA STEELE, Clerk