

**COMMISSIONERS MINUTES**

**SEPTEMBER 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 4<sup>th</sup> 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.

The public portion of the meeting was held. Charlie Lyons appeared to discuss the Hoffman-Duffy Reservoir dam reconstruction. The dam is located on Highway 20. Currently, the dam holds 90 acre feet of water. The Bureau of Land Management (BLM) wants to cut the dam down to 11 acre feet of water. Mr. Lyons feels this is a major concern, considering the lack of water storage in the state and he wanted the commissioners to be aware of the issue. After an inspection of the dam by the Idaho Department of Water Resources (IDWR), BLM was granted a Certificate of Approval for the dam, contingent upon them performing certain maintenance items. Upon an inspection in 2010, it was found that BLM did not complete the maintenance items and was not granted another Certificate of Approval. BLM was instructed to not impound water in the dam until the maintenance items were completed, or the dam height was lowered. Instead of doing the maintenance, BLM decided to reduce the dam and spillway height. Mr. Lyons has been speaking with BLM for the last three years regarding the issue and stated that he is even willing to do the minor maintenance on the dam if it means keeping the dam height at the current level. BLM made the decision on September 2, 2014 to lower the dam and Mr. Lyons hopes that the decision will be appealed. The benefits of the larger water storage was discussed.

Alan Christy, Land Use and Building Department, appeared and reviewed a request from Marie Carlon for a waiver of fees on a Conditional Use Permit (CUP). Ms. Carlon and her brother received a CUP in February of 2014 to subdivide a piece of property they jointly own in Mountain Home. She has been making efforts to acquire the necessary surveys and road engineering for the preliminary and final plat applications. She lives on a very limited income and has not received any financial help from her brother regarding the requirements of the CUP. She is requesting that the associated fees be waived so she can proceed with the subdivision in a timely manner. Mr. Christy reviewed the fee amounts and what costs his departmental budget would incur if the fees were waived. Discussion followed.

Motion by Wootan, second by Hofer, to deny the request from Marie Carlon for a waiver of fees for a Conditional Use Permit.

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

**Motion carried and so ordered.**

Mr. Christy also reviewed the process and procedures for an upcoming public hearing.

Motion by Wootan, second by Hofer, to approve and sign the Security Services and Joint Powers Agreement with the City of Glenns Ferry.

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

**Motion carried and so ordered.**

Martin Beach and Penny Meyers, Mountain Home Highway District, appeared to request funding from Elmore County for repair projects due to the mudslide devastation. They explained what repairs they have been doing and how the unexpected costs are depleting their budget.

Tim Petersen, Acting regional Director for Senator Risch, appeared to speak with the board regarding any issues they may have. Chairman Hofer spoke about the recent devastation in the Atlanta and Pine areas and stated that he has been researching the Land and Water Conservation Fund, which is a federal program intended to conserve irreplaceable lands and improve outdoor recreation opportunities throughout the nation. This program seems to have plenty of funding available and Chairman Hofer wondered if it could be used to help with repairs to the roads in these areas, since the Atlanta and Pine areas are widely utilized as recreational areas. Mr. Petersen thinks that funding is used for creating new recreational areas, not for updating or making repairs to current recreational areas, but he will check into the program further. The acquisition of water rights and aquifer recharging were also discussed. Commissioner Wootan stated that economic development is suffering due to the lack of water supplies in the county. Mr. Petersen stated that these issues were included in the Farm Bill and he will follow up with how to get the funding to Elmore County for projects to obtain a sustainable water source. The Boise Water Feasibility Study was discussed. A large portion of the water runoff for this project will be generated in Elmore County and will be sent to Boise. The board feels that a portion of the water should be retained in and used in Elmore County. Discussion followed. Clerk Steele asked Mr. Petersen about the future of PILT funding. Mr. Petersen stated that PILT was funded last year by the Farm Bill, and will most likely be appropriated through a continuing resolution.

Von and Debbie Bross appeared to follow up with the board regarding joining an existing herd district. Mr. Bross’s property is just outside of an existing herd district and concerned with the water shed on the stream that runs between his property and his neighbor’s property. The current neighbor does not run cattle on his land, but they are concerned that a future land owner may decide to run cattle and ruin the water shed. They have spoken to several people regarding what steps need to be taken to join an existing herd district and possibly creating a new district. The board suggested that Mr. Bross enter into an agreement with his current neighbor that fencing must be put up if someone buys the property and decides to run cattle. Attorney Grant reviewed his findings of the research he did on expanding or creating a herd district.

Rebecca Hughes appeared to inform the board of trash accumulating out in the desert. Her family often rides ATV’s along the foothills in the Tipanuk area and they have found various trash piles, even things



This Termination Resolution is dated and is made effective as of this 15th day of September, 2014 (the "Effective Date").

**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 and sign the letters to the individuals who purchased properties at the August 25, 2014 tax deed auction, explaining the right of redemption according to Idaho Code.

**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-07-14-01 Motion by Corbus, second by Wootan, to sign the amended approval.

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

**CORBUS ..... -AYE**

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

**Motion carried and so ordered.**

K-08-14-01 Motion by Corbus, second by Wootan, to deny as the applicant is not indigent, is not a resident of Elmore County and failed to cooperate. The application was untimely filed and Elmore County is not the last resource.

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

**CORBUS ..... -AYE**

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

**Motion carried and so ordered.**

K-08-14-02 Motion by Corbus, second by Wootan, to approve with a reimbursement order of \$10.00 per month.

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



Motion by Hofer, second by Wootan, to add to the agenda and discuss the Pine Senior Center lease agreement.

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

**CORBUS** ..... -**AYE**

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

**Motion carried and so ordered.**

Attorney Grant reviewed the proposed revisions to the Pine Senior Center Lease Agreement.

Motion by Hofer, second by Wootan, to adjourn.

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

**CORBUS** ..... -**AYE**

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

**Motion carried and so ordered.**

**/S/ ALBERT HOFER, Chairman**

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