

COMMISSIONERS MINUTES

MARCH 30, 2015

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 Wes Wootan, Commissioners Bud Corbus and Al Hofer, Civil Attorney Buzz Grant, Clerk Barbara Steele, and Deputy Clerk Shelley Essl.

Attorney Blake Swenson, of Moffat Thomas Attorneys at Law, appeared via speaker phone to discuss the possibility of reviewing the Public Defender criminal defense billing invoices. The Public Defender contract has been changed from a monthly flat rate fee to charging for billable hours worked per client. The board would like a review of the billing invoices to make sure the billing is accurate. Since they do not have the expertise in legal billing, they would like a qualified attorney to do the review. Attorney Swenson reviewed his extensive background in criminal law. Commissioner Hofer stated that there is a limited amount of information contained in the billing and the board assumes that is due to client confidentiality. Attorney Swenson stated that he will contact Bar Council to discuss the issue and find out what information the Public Defender is required to provide within his billing while maintaining client confidentiality. The board will inform the Public Defender that they would like a review of his billing before the process begins. Attorney Swenson will contact Attorney Grant once he speaks with Bar Council.

Motion by Wootan, second by Corbus, to approve the minutes for March 23, 2015 with two additions as discussed.

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

Motion carried and so ordered.

Motion by Hofer, second by Corbus, to approve and sign the Courthouse Master Plan Agreement with ZGA Architects.

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

Motion carried and so ordered.

A request from St. Luke’s Elmore regarding wage increases for Elmore Ambulance Service employees was discussed.

Motion by Wootan, second by Corbus, to add to the agenda a Notice of Complaint that was received Friday afternoon and an update from Attorney Grant regarding the course of action.

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

HOFER -AYE

Motion carried and so ordered.

A Notice of Complaint was received in the Clerk's Office by an individual wishing to record the document. Attorney Grant stated that the document does not meet the requirements for recording with real estate records. A copy of the document will be given to County Prosecuting Attorney Schindele and Sheriff Layher for their review and response.

The monthly department heads meeting was held.

Mir Seyedbagheri, Extension Office, appeared to update the board. The lack of water and how it will affect the hatching of the Mormon Crickets was discussed. He has surveyed twenty three areas and has not seen any signs of early hatching. He also did surveys of fall grain for winter damage and found that there was some winter kill, but growing points are mostly healthy and will grow back. Mosquito control was discussed. In order for them to do larvaciding, spraying and mapping in a timely manner, they will need to hire a surveillance crew which will be covered by funding he will receive from the Idaho Department of Health and Welfare for mosquito abatement. Mr. Seyedbagheri's pest employee will take samples from the large areas of Pine, Featherville and Smith's Prairie and the rest will be done by the surveillance crew. His office is in the process of adding pest abatement information to the county website.

Alan Roberts, Extrication Department, appeared. Mr. Roberts is still working with Orchard Training Center to finalize a Mutual Aid Agreement for rescue services along a stretch of Interstate 84. He has also started working with the Grandview Fire and EMS regarding a Mutual Aid Agreement with them as well. He has been working with Attorney Grant reviewing and clarifying questions that have been raised regarding the ambulance remount bid specifications. Mr. Roberts stated that the department's EMS license will expire at the end of March and he will not be renewing it since they do not have the amount of EMT's on staff that is required by the state. It will not affect the extrication abilities and he can reapply for the license if he gets enough manpower for the EMT requirement. Commissioner Corbus stated that he has been speaking with several entities trying to come up with a plan to replace the current extrication truck with a larger vehicle.

Wade Baumgardner, Veterans Service Officer, appeared to give his monthly update. He assisted a veteran from Fairfield (Camas County) in applying for benefits to use the Veterans Hospital as his primary healthcare facility. Over the years, he has provided services to several veterans from Fairfield, as Camas County does not have a County Veterans Service Officer. He has registered several veterans and their spouses for the Idaho State Veterans Cemetery. He participated in two military rites funerals this past month. The Secretary of veterans Affairs has directed all VA healthcare and benefits facilities to continue holding quarterly town-hall events to improve communications with and hear directly from veterans nationwide. Special 50th Anniversary commemorations of the Viet Nam War will feature screenings of the documentary Uncommon Men/Uncommon Valor in the spring of 2015 at select locations. Each

screening will benefit the participants of Idaho's veterans' treatment courts, as well as a local veteran service organization in each community. Since the last meeting he has assisted twenty one veterans, spouses and family members with specific VA issues.

Rena Kerfoot, Fair Board, appeared to update the board. The fair board announced Joe Lyle as this year's Grand Marshall. They have been researching the purchase of a new welder and doing price comparisons. The high school rodeo has been scheduled for April 11th and 12th. There will be a flea market held this Saturday, April 4th at the fair-grounds.

Brian Chevalier, Pine EMS Supervisor, appeared. The ambulance license is due to expire and will need to be renewed. They had three calls this past month. Commissioner Corbus stated that a representative from St. Luke's Life Flight visited the Pine substation and has put together a preliminary plan for a helicopter landing pad. They also requested lights to be mounted on some power poles. Mr. Chevalier stated that he got an estimate of approximately \$6,000.00 to install the requested lights. Attorney Grant wanted to remind the board that homeowner approval will be needed as well before they proceed with the landing pad. Mr. Chevalier stated that the volunteer status has improved and more local residents have shown interest.

Emma Scott-Landers, Drug Court Coordinator, appeared to update the board. Currently, there are twenty three participants in the program, which is not capacity. All of the participants are employed. There are two pending entries into the program. Ms. Scott-Landers has submitted the grant paperwork to the Idaho Office of Highway Safety and a notice of receipt has been given. The Notice of Award status will not be released until July. They have pending graduations scheduled for May 12th, August 18th and November 17th. They currently have four ongoing or pending community service projects. Ms. Scott-Landers reviewed the community service hours. The numbers have decreased slightly due to the decreased number of participants and the fact that all current participants are employed and are not required to do community services.

Steve Dye, Juvenile Probation Director, appeared to give his monthly update. Mr. Dye reviewed the caseload report. The number of cases has decreased, but the number of pending cases has increased to twenty three. This increase has increased the report workload for the probation officers, as each case has a court deadline of typically four to six weeks, in which a court report needs to be completed. Each report takes approximately eight to ten hours to complete. Mr. Dye reviewed the community service report. There has been an increase due to the increased number of juveniles. The Court Assistance Officer office is complete and Judge Epis should be holding interviews for the position in the next few weeks. His receptionist is currently on maternity leave and he may need to hire a temp to answer the phone and return messages.

Alan Christy, Land Use and Building Department, appeared. Mr. Christy went to Hammett with a sheriff's deputy in response to a complaint made by a neighbor regarding trash piles and old vehicles

blocking a roadway. Mr. Christy stated that they were able to hand serve a public nuisance violation to the resident in question. The resident has thirty days to remedy or make progress to remedy the situation. If no progress is made within the thirty days, it will be turned over to the prosecutor's office. According to the property deeds, the road in question has been vacated, but Mr. Christy spoke with the Glens Ferry Highway District and was told that they never vacated the road and do not maintain it. It is Mr. Christy's understanding that according to Central District Health, there is no environmental hazards at the location at this time. Mr. Christy will update the board of the thirty day progress at next month's department head meeting. Mr. Christy discussed the Hammett Park boat ramp project. The surveys have been recorded and the project will continue to move forward. Six land use applications were submitted in March, however, five of the applications are incomplete as additional information is needed. Due to the number of pre-application meetings, Mr. Christy anticipates that applications will increase in the next few months.

Bill Richey, Military Liaison, appeared to update the board. The runway at the Mountain Home Air Force Base is scheduled to be closed between July 10th and August 24th for the repair project. During this time, the training squadrons will be deployed to other locations. He attended a Joint Land Use meeting at the Department of Commerce last week where the Orchard Training Center was discussed. They have thirty two fire fighters on staff due to several new structures being built in the area. They have added an additional six fire trucks and will also have thirteen fire fighters manning those trucks during the wild fire season. He stated that Orchard is working on developing a northwest regional training center for the National Guard, with housing for eight hundred soldiers. The vision is to make Idaho the best training area in the northwest. The surface water acquisition for the Mountain Home Air Force Base is moving along. There is a meeting scheduled for April 1st with the Idaho Department of Water Resources involving representatives from the Air Force Base, Air Combat Command, the Secretary of the Air Force and the Air Force Civil Engineers Center. Singapore's Ambassador to the United States will visit the Mountain Home Air Force Base April 8th through the 10th.

Bill Wenner, Misdemeanor Probation, appeared. Six clients have been added to the caseload and fourteen clients were released or terminated from probation. The number of conditional release clients is thirty five and there are three restitution cases. There are thirty six clients enrolled in community service, which is the number of clients on unsupervised probation only.

Carol Killian, Disaster Services Coordinator, appeared to update the board. Ms. Killian reviewed the new procedures for submitting requests for grant funding. She attended a class, along with Clerk Steele, Commissioner Corbus and Chairman Wootan regarding emergency planning for the upcoming country music festival. The Command Vehicle has gotten new tires. There is also an issue with the control panel in the Command Vehicle, but she is in the process of getting estimates for the repairs. Ms. Killian is working with Attorney Grant regarding a Mutual Aid Agreement with surrounding counties for extra assistance in case of an extreme emergency situation.

The monthly elected officials meeting was held.

Assessor Ron Fisher, appeared and reviewed a casualty loss exemption application for Ramiro Zepeda. Assessor Fisher stated that there was a fire resulting in the mobile home being total burned down. The taxes will be adjusted to reflect the value of \$3,027.00 for the prorated value of the mobile home up until the fire occurred.

Motion by Corbus, second by Hofer, to approve the Casualty Loss Exemption Form for Ramiro Zepeda on parcel # MTHR0000495000A as a result of a fire and adjust the value to \$3,027.00.

WOOTAN..... -AYE

CORBUS..... -AYE

HOFER -AYE

Motion carried and so ordered.

Assessor Fisher stated that his office has been busy with homeowners exemptions and circuit breakers, which are due by April 15th. There will be some increases on agricultural properties. His studies have found the Ag exemptions in Elmore County are considerably lower than surrounding counties. The board would like Assessor Fisher to take the water issues and canal costs in Elmore County into consideration when valuating agricultural properties. He is still waiting for the drivers licensing equipment from the Idaho Department of Transportation to implement the processing of drivers licenses in the Glenns Ferry DMV office. Three of his employees have been attending classes in preparation for the drivers license service.

Treasurer Amber Sloan appeared to update the board. They are down to twenty nine parcels that have overdue 2011 taxes. They have sent out Sheriff’s letters regarding past due personal property taxes and will issue distraint warrants in mid-April. There will be a new credit card EMV law going into effect on October 1, 2015 regarding credit card EMV, a new program that will protect the county against fraudulent credit card use and being held liable. She has been in touch with Access Idaho, the Treasurer’s Association and credit card companies regarding the new program.

Sheriff Rick Layher and Chief Deputy Mike Barclay appeared to discuss a personnel issue with the board.

Motion by Wootan, second by Hofer, to go into Executive Session pursuant to I.C. 67-2345(b) to discuss a personnel issue. Roll call vote was taken.

WOOTAN..... -AYE

CORBUS..... -AYE

HOFER -AYE

Motion carried and so ordered.

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

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

WOOTAN..... -AYE

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

Motion carried and so ordered.

Regular session resumed.

Motion by Wootan, second by Corbus, to go into Executive Session pursuant to I.C. 67-2345(d) – 31-874 to hold a Hearing of Reconsideration on case K-09-14-07. Roll call vote was taken.

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

Motion carried and so ordered.

A Hearing of Reconsideration was held on case K-09-14-07. Present at the hearing were Chairman Wes Wootan, Commissioners Bud Corbus and Al Hofer, Civil Attorney Buzz Grant, Clerk Barbara Steele, Deputy Clerk Shelley Essl, Social Services Director Marianne Bate, Social Services Assistant Candi Hinton and the applicant. Attorney Michael Hague, representing St. Luke’s Elmore was present via speaker phone. Questions were asked and answered and the hearing was closed.

Regular session resumed. No decision was made as a result of the Executive Session. The board will take the case under advisement.

Motion by Wootan, 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.

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

Motion carried and so ordered.

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

K-09-14-07 Motion by Wootan, second by Corbus, to approve with any proceeds from any crime victim’s claim and/or civil claims to be paid to Elmore County, a reimbursement order of \$25.00 per month and 50% of federal and state income tax refunds as payment.

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

Motion carried and so ordered.

K-02-15-05 Motion by Corbus, second by Hofer, to approve with a reimbursement order of \$100.00 per month and 50% of federal and state tax refunds as payment.

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

Motion carried and so ordered.

K-02-15-06 Motion by Corbus, second by Hofer, to approve for date of service 12/12/14 only with no reimbursement order.

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

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

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

Motion carried and so ordered.

K-02-15-08 Motion by Corbus, second by Hofer, to approve with a reimbursement order of \$50.00 per month and 50% of federal and state tax refunds as payment.

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

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

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

Motion carried and so ordered.

K-02-15-09 Motion by Hofer, second by Corbus, to deny as the applicant failed to cooperate to provide documentation to determine indigency.

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

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

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

Motion carried and so ordered.

K-02-15-10 Motion by Hofer, second by Corbus, to deny as the applicant has the ability to pay the medical bills over five years with imputed income.

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

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

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

Motion carried and so ordered.

K-03-15-05 Motion by Hofer, second by Corbus, to approve for a hysteroscopy and D & C only per treatment plan filed, with a reimbursement order of \$50.00 per month and 50% of federal and state tax refunds.

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

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

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

Motion carried and so ordered.

Motion by Wootan, second by Corbus, to approve the establishment of the polling places for the May 19, 2015 Taxing District Elections.

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

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

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

Motion carried and so ordered.

Motion by Wootan, second by Hofer, to approve the Certificate of Residency applications for Olivia Ostberg, Christopher P. Williams and Sydney Faye Sterling.

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

Motion carried and so ordered.

Jeff Lord, Carl Rudeen, Neil Hillesland, Josh Uriarte and Edwardo Contreras, representing the Local Sage Grouse Working Group appeared to give the board an update. Mr. Lord explained their conservation efforts with the main focus being protecting and preserving of the elite core habitat. Threats to the sage grouse, such as wildfires, human disturbances and climate change were discussed. The group would like to work along with Elmore County in the best interest of the sage grouse and the county. Discussion followed.

Commissioner Corbus discussed the progress on the issue of acquisition of water rights from Anderson Dam.

Clerk Steele reviewed excess overtime and vacation time that some employees have accrued.

Motion by Wootan, second by Corbus, to adjourn.

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

Motion carried and so ordered.

/S/ WESLEY R. WOOTAN, Chairman
ATTEST: /S/ BARBARA STEELE, Clerk