

K-12-15-06 Motion by Corbus, second by Hofer, to deny as applicant has health insurance to cover the dates on the application and is not medically indigent per Idaho Code. St. Luke’s Regional Medical Center withdrew the application on 1/6/16.

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

Motion carried and so ordered.

K-12-15-07 Motion by Corbus, second by Hofer, to deny as treatment plan is incomplete and not medically necessary and the applicant is able bodied and could self-pay over five years.

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

Motion carried and so ordered.

Motion by Wootan, second by Hofer, to suspend the reading of Resolution No. 584-15 and refer to it in title only.

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

Motion carried and so ordered.

Motion by Wootan, second by Hofer, to approve Resolution No. 584-15 Adopting the Elmore County Commissioner Districts.

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

Motion carried and so ordered.

RESOLUTION NO. 584-16

A RESOLUTION ADOPTING THE ELMORE COUNTY COMMISSIONER DISTRICTS

At a meeting of the Elmore County Board of Commissioners (the “Board”), State of Idaho, on the 8th day of January, 2016 the following Resolution was adopted to wit:

WHEREAS, Pursuant to Idaho Code §31-704, the Board at a regular meeting held on January 8, 2016, after due consideration, established commissioner districts according to Idaho Code §31-704.

WHEREAS, the Board has adopted revised voting precincts and legal description on January 8, 2016 pursuant to Idaho Code §34-301.

WHEREAS, the Board desires to establish the commissioner districts, as set forth in the attached, for all elections in 2016 and thereafter, until further revised.

BE IT THEREFORE RESOLVED, the Board hereby revokes the previous Commissioner Districts prior to the date hereof, and approves and adopts the Elmore County, Idaho – Commissioner Districts – 2106, which is made a part hereof and original on file with the resolution in the County Clerk’s Office.

APPROVED AND ADOPTED this 8th day of January, 2016

ELMORE COUNTY COMMISSIONERS

/S/ WESLEY R. WOOTAN, Chairman

/S/ FRANKLIN L. CORBUS, Commissioner

/S/ ALBERT HOFER, Commissioner

ATTEST: /S/ BARBARA STEELE, Clerk

Motion by Wootan, second by Hofer, to suspend the reading of Resolution No. 583-15 and refer to it in title only.

WOOTAN **-AYE**

CORBUS **-AYE**

HOFER **-AYE**

Motion carried and so ordered.

Motion by Wootan, second by Hofer, to approve Resolution No. 583-15 Establishing Election Precincts and Designating Prairie and Pine Precincts as Mail Ballot Precincts.

WOOTAN **-AYE**

CORBUS **-AYE**

HOFER **-AYE**

Motion carried and so ordered.

RESOLUTION NO. 583-16

A RESOLUTION ESTABLISHING THE ELECTION PRECINCTS FOR ELMORE COUNTY, IDAHO AND DESIGNATING THE PRAIRIE AND PINE PRECINCTS AS MAIL BALLOT PRECINCTS

WHEREAS, The Board of Commissioners of Elmore County (the “Board”) has the authority and duty under Idaho Code §34-301 to establish a convenient number of election precincts.

WHEREAS, The Board pursuant to Idaho Code §34-301 has the authority to create new or consolidate established precincts only within the boundaries of the legislative districts.

WHEREAS, The Board pursuant to Idaho Code §34-301 shall take action no later than January 15th in a general election year.

WHEREAS, Idaho Code §34-306(1) states precinct boundaries shall follow visible, easily recognizable physical features on the ground including, but not limited to, streets, railroad tracks, roads, streams, and lakes. The exception shall be when a precinct boundary coincides with a city, county, Indian reservation or school district boundary which does not follow visible features.

WHEREAS, the Board desires to revise the voting precincts within Elmore County (the “County”) in an attempt to simplify voting within the County by matching various districts lines with precinct lines within the County and update and clarify the legal descriptions to correspond to Idaho Code §34-306(1).

WHEREAS, the Board further desires to eliminate the Camas Precinct and merge it into four other voting precincts.

WHEREAS, the Board pursuant to Idaho Code §34-308 has the authority to create mail ballot precincts when a precinct contains no more than one hundred twenty-five (125) registered electors at the last general election.

WHEREAS, the Board desires to simplify voting within the County by designating the Prairie and Pine Precincts as mail ballot precincts.

IT IS HEREBY RESOLVED:

1. Effective as of the date hereof, the Board hereby dissolves and terminates all existing voting precincts within the County prior to the date hereof, and replaces these prior voting precincts with the following voting precincts: Atlanta Precinct, Chattin Flats Precinct, Glens Ferry Precinct, Hammett Precinct, King Hill Precinct, Mayfield Precinct, Mountain Home Precinct #1, Mountain Home Precinct #2, Mountain Home Precinct #3, Mountain Home Precinct #4, Mountain Home Precinct #5, Mountain Home Precinct #6, Mountain Home Precinct #7, Mountain Home Precinct #8, Mountain Home Precinct #9, Pine Precinct and Prairie Precinct, all of which are legally described on Exhibit A and shown on Exhibit B, which exhibits are made a part hereof and are on file with resolution in the County Clerk’s Office.

2. Effective the date hereof, the Board hereby designates the Pine and Prairie Precincts as mail ballot precincts.

PASSED, at a regular meeting of the Elmore County Board of Commissioners in the County of Elmore, State of Idaho, held on the 8th day of January, 2016, upon which roll call vote was duly taken and said Resolution passed by a unanimous vote.

ELMORE COUNTY COMMISSIONERS
/S/ WESLEY R. WOOTAN, Chairman
/S/ FRANKLIN L. CORBUS, Commissioner

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

Motion by Wootan, second by Hofer, to appoint as Commissioner Bud Corbus as Chairman for 2016.

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

Motion carried and so ordered.

Barry Peterson appeared to discuss landfill issues. Mr. Peterson is a former Elmore County Commissioner and has first-hand knowledge of landfill issues. He explained that in 1996 Elmore County was approached with a request to establish a commercial garbage facility. After examining other like facilities in the northwest, the county's position became one of how to build the most benefits and protections for Elmore County and its citizens and the mitigation agreement with Idaho Waste Systems (IWS) was put into place. Mr. Peterson stated that it is his personal feeling that over the years the county began to cave in on some of the very important features of the mitigation agreement and conditional use permit that were put into place to protect the citizens of Elmore County. Discussion followed regarding the benefits and protections that were to be afforded to the county as outlined in the mitigation agreement.

Jack Yarbrough, Idaho Waste Systems, and his attorney Bill Ghiorso called in via speaker phone to discuss recent negotiations with the board regarding operation and hauling fees and other items contained in the mitigation agreement. Commissioner Wootan stated that the county is moving forward with getting the arid exemption for Bennett Road so trash can be buried there and hopes that Mr. Yarbrough will continue to work with the county until that is accomplished. Mr. Yarbrough asked if that means that his proposal to the county is off the table. Attorney Grant stated that the county's stance is that he needs to continue providing services to the county pursuant to the agreements that are currently in place. Mr. Yarbrough stated that he feels the county expects IWS to take the trash for free and that is not going to happen. Commissioner Wootan stated that they can continue to negotiate the hauling fees. Chairman Corbus stated that he agrees with Attorney Grant that IWS needs to abide by the terms of the agreements. Attorney Ghiorso stated that if there is an impasse or dispute with either agreement, there is an arbitration provision that either party can invoke to settle the dispute. He believes that Mr. Yarbrough is willing to fully perform the services in the agreements, but cannot be expected to perform the services at an economic loss. Mr. Yarbrough feels that the county should have an expert figure out the base cost of what they should be paying IWS for services, bring that figure to Mr. Yarbrough and if it is a fair cost, he could live with that figure. The board went back to their offer of \$25.00 per ton being paid for hauling and dumping the trash. Mr. Yarbrough asked if he would still have to pay mitigation fees if the \$25.00 fee is agreed upon. Commissioner Hofer stated that as long as Simco Road is open, IWS will be responsible for paying those fees to the county. Mr. Yarbrough feels that is not feasible and, with advice from his attorney, will most likely invoke the arbitration clause. Commissioner Wootan stated that the board would still like to work something out with Mr. Yarbrough to continue trash services for one year. Mr. Yarbrough stated that it would not be financially reasonable for him to pay \$400,000.00 to finish and

open the new cell just to turn around and pay \$1 million to close it after one year if the county no longer wants the services. Commissioner Hofer stated that the board is trying to do what is best for the county financially. Mr. Yarbrough stated that he will continue to work with the board to try and come up with a fair cost for both sides. Discussion followed.

Dwight Miller, Parametrix, spoke with the board via speaker phone, to update them on the arid exemption for the Bennett Road Landfill. Attorney Grant asked Mr. Miller where they are with arid exemption process. Mr. Miller stated that they re-ran a help model based upon new soils from the borehole drilling. The soils turned out to be better than they expected. The model showed that there is the equivalent bottom liner native materials in place to provide the equivalent design. Commissioner Wootan asked how deep the trash will be able to be stacked. Mr. Miller stated that, given the footprint of the landfill, trash could be dumped to a depth of approximately fifty feet in the center of the cell, with the depth tapering off towards the sides. Attorney Grant asked when the county would have the actual arid exemption certificate showing they can start using the landfill. Mr. Miller stated that he will be preparing a technical memorandum recommending that the county proceed with getting an equivalent bottom liner design certification from DEQ. That approval would allow them to move forward with the operations plan and post closure plan. Commissioner Hofer questioned how much daily tonnage could be dumped there with this approval. Mr. Miller stated that they could dump as much trash as is generated. He stated that it would probably take six months to get the approvals so the county could start dumping trash. Discussion followed regarding equipment and operational costs. The board would also like to have Mr. Miller to look into the operations plan for the Glenns Ferry landfill to see what would be needed to convert it from a transfer site to an operational landfill as well.

Cathy Smith, Chief Deputy of the Treasurer’s Office and Noel Hoseley appeared to discuss an application for a cancellation of taxes due to hardship. Mr. Hoseley is having health issues which has caused him financial difficulties. He has a balance due immediately on his 2012 taxes in the amount of \$1,159.88, which includes late charges and interest as well. He is financially unable to pay that balance at this time. If the 2012 taxes can be cancelled he can work on getting 2013 and 2014 caught up. Ms. Smith stated that he also owes a balance of \$56.49 on his mobile home and asked if he would be able to pay that balance. Mr. Hoseley stated that he can make payments on that balance and have it paid in full by March.

Motion by Wootan, second by Corbus, to approve the tax cancellation for Noel Hoseley parcel # RP02S04E015410A, for tax year 2012 in the amount of \$1,159.88, which includes late charges and interest. Mr. Hoseley agreed to pay taxes on parcel # MHTR0000474700A in the amount of \$56.49, to be paid in full by March 2016.

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

Motion carried and so ordered.

Motion by Wootan, second by Corbus, to approve the minutes for November 13, 2015.

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

Motion carried and so ordered.

Motion by Corbus, second by Wootan, to approve the payroll for December 2015 in the amount of \$463,714.99.

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

Motion carried and so ordered.

Motion by Corbus, second by Wootan, to approve the expenses in the amount of \$169,930.97.

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

Motion carried and so ordered.

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

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

Motion carried and so ordered.

Regular session resumed.

Jennifer Smith, Human Resources Manager, appeared and reviewed the proposal for photocopiers for county departments. The proposal is including doing away with desktop printers for each employee and going to a shared copier/printer in each office. Ms. Smith will work with Attorney Grant regarding state bid pricing and contracts. Jim Durham also appeared to let the board know that he is working on replacing his printer which makes employee badges and he is in the process of training his security personnel to run the badge system. He will have the training done by the end of this month.

Bonnie Harper, Glenns Ferry Economic Development, appeared to update the board. Chairman Corbus suggested that she attend the monthly department head meeting to keep the board updated. She has been working on “Project Go” and should be going public with the specifics of that project in the next few weeks. She met with Glenns Ferry Highway District regarding the possible expansion of the railroad underpass and railroad infrastructure. She has been speaking with the Idaho Transportation Department about on/off ramp issues. The King Hill Irrigation District and the City of Glenns Ferry have been meeting regarding irrigation issues and there has been talk of potentially forming a water district. There is a group in Glenns Ferry that is looking into reviving the Three Island Crossing by holding a Three Island Crossing Celebration Days, which would be an entire weekend event. Surveyors were at the Glenns Ferry airport, trying to square up the airport property. There is also a clearance issue with the length of the runway. The sportsman’s access road will need to be moved 500 feet to the east so the runway can be

extended. They are hoping that lengthening the runway will help to increase the number of recreational fliers into the airport. It would also increase fire-fighting efforts during the summer, giving planes a landing area to refuel or do maintenance.

Sheriff Rick Layher, Chief Deputy Mike Barclay and Jail Commander Shauna Kellerman appeared. Deputy Barclay updated board on two accident this morning, one due to fog and ice, and the other, where a tractor trailer ran a stop sign going across the railroad tracks and got hit by a train. Lieutenant Kellerman stated that the jail numbers are low and she has been contacting other counties letting them know that Elmore County can take extra inmates, but the numbers are low overall throughout the state. She met with Dr. Keller of Badger Medical yesterday regarding an opening for a nursing position at the jail. Dr. Keller stated that he hasn't received any applicants because he cannot offer a competitive wage. He suggested doing away with the on-call nurse service in the contract and use that allotted money to increase nurse salary. Lieutenant Kellerman stated that they do not use the use the on-call service very often, but still pay for the service as outlined in the contract. Commissioner Hofer stated that the county does not get reimbursed for not using the service, so Badger can just use that extra money to pay a higher salary for the nurse.

Motion by Corbus, second by Wootan, to go into Executive Session pursuant to I.C. 74-206(b) to discuss a personnel issue. Roll call vote was taken.

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

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

Sheriff Layher discussed the possibility of combining his waterways division and detectives division.

Motion by Corbus, second by Hofer, to approve the Certificate of Residency applications for Kari K. Beaty, Brady J. Smith, Janet M. Wallace, Ashley L. Webster, Kierianna T. Chavez, Erin B. Russell and Mackenzie P. Viola.

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

Motion by Corbus, second by Wootan, to approve the Ambulance District Expenses in the amount of \$4,480.03, payable to Ace Glass-\$55.00 and Elmore County-\$4,425.03.

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

Motion by Corbus, second by Hofer, to approve the Pest Abatement District Expenses in the amount of \$3,654.71, payable to James Torbert-\$45.00, Carr's Lumber-\$5.36, Mountain Home Auto Parts-\$263.96 and Elmore County-\$3,340.39.

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

Motion carried and so ordered.

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

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

Motion carried and so ordered.

Landfill issues were revisited.

A short recess was taken. Regular session resumed.

Jack Yarbrough phoned in to continue negotiations with the board. Commissioner Wootan clarified the board's offer, which includes paying \$25.00 per ton to operate Bennett Road, haul the trash from Bennet Road and bury it at Simco Road, Bennett Road will reopen on Tuesdays and be open six days a week with two employees working, the county will hire an engineer to assess repairs needed to the building at Bennett Road and the cost of the repairs will be split 50/50. The board would sign a one year agreement and would like to meet with Mr. Yarbrough once a month to keep both sides updated. Mr. Yarbrough is concerned that a one year agreement would not be financially feasible for him and would like it to be at least five years. He asked if he agrees to the one year contract would he still have to pay the mitigation fees. Commissioner Hofer stated that those fees are not going away and he will be required to pay them, but they all need to start to have a good working relationship. Mr. Yarbrough stated that he would like to move forward, but would like to take some time to think it over before making a decision. Commissioner Hofer stated that they have been going back and forth for months on the same issues and it needs to be resolved today. Mr. Yarbrough agreed to the board's offer. Attorney Grant will send the agreement to Mr. Yarbrough for his review and signature.

Motion by Corbus, second by Hofer, to adjourn.

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

Motion carried and so ordered.

/S/ FRANKLIN L. CORBUS, Chairman
ATTEST: /S/ BARBARA STEELE, Clerk