

COMMISSIONERS MINUTES

JULY 22, 2013

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

Steve Dye, Juvenile Probation Director, appeared to review the Juvenile Probation Idaho JABG FY2012 Grant Application. The JABG is a state allocated annual grant which is used to offset the cost of the community service program. The amount of the grant will be \$3,200.00.

Motion by Wootan, second by Corbus, to approve the Juvenile Probation Idaho JABG FY2012 Grant Application.

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

Motion by Wootan, second by Corbus, to approve the minutes for July 15, 2013.

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

Alan Christy, Land Use and Development Director, appeared to give an update for the Elmore County Building Inspector, Tell Riley. Mr. Riley passed his residential inspection certification and Mr. Christy wanted to discuss a raise for Mr. Riley to the rate the previous building inspector was making.

Motion by Corbus, second by Hofer, to approve the pay raise for the Elmore County Building Inspector Tell Riley from \$15.18 per hour to \$17.82 per hour as a result of passing his residential inspection certification.

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

Discussion followed on Resolution No. 519-13 implementing the 2010 Idaho Joint Land Use Study (“JLUS”).

Motion by Wootan, second by Corbus, to approve and sign Resolution No. 519-13 Implementation of Idaho Joint Land Use Study (JLUS).

HOFER -AYE

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

Motion carried and so ordered.

RESOLUTION NO. 519-13

RESOLUTION RECOGNIZING AND IMPLEMENTING 2010 IDAHO JOINT LAND USE STUDY (“JLUS”)

WHEREAS, the JLUS is an ongoing planning process accomplished through the collaborative efforts of a comprehensive list of stakeholders in a defined area of study in Southwest Idaho; and

WHEREAS, the JLUS stakeholders include local community and federal officials, residents, business owners, Native American tribal governments and the United States military; and

WHEREAS, the goal of the Idaho JLUS is to protect the viability of current and future missions at Mountain Home Air Force Base (MHAFB), the Mountain Home Range Complex (MHRC), Gowen Field, and the Orchard Combat Training Center (OCTC), while at the same time guiding growth, sustaining the economic health of the region, protecting public health and safety, and private property rights; and

WHEREAS, military installations and operations in Idaho are critical to local, regional, and state economies; and

WHEREAS, throughout the country, incompatible development has been a factor in the curtailment or reduction of military training operations; and

WHEREAS, in order to protect the military mission in the State, the health of the economies and industries that rely on them, and in order to consider the rights of adjacent private property owners, collaboration and joint planning among the installations, counties and local communities must occur throughout Southwest Idaho; and

WHEREAS, the military must also acknowledge the rights of private property owners when evaluating mission expansion or contraction; and

WHEREAS, new development may create compatibility issues, often referred to as encroachment, which may have significant impacts on community safety, economic development, and sustainment of military activities and readiness; and

WHEREAS, encroachment is a threat to military readiness and is currently one of the military’s greatest concerns; and

WHEREAS, collaboration and joint planning among military installations and local communities and agencies should occur to protect the long-term viability of existing and future military missions; and

WHEREAS, working together also enhances the health of economies and industries of the communities before incompatibility becomes an issue; and

WHEREAS, the JLUS stakeholders may actively participate in the public process involving development projects that may have an adverse impact on military operations; and

WHEREAS, each jurisdiction that conducts the public process for new development within its boundaries will coordinate and collaborate on development projects that may have an adverse impact on military operations. To aide in the implementation, each jurisdiction and military institution may develop individual Memorandums of Understanding as needed or desired; and

WHEREAS, the “Idaho JLUS” document was published August 2010 following a 2 year collaborative study and is considered a living document to be used and updated as required by the JLUS stakeholders;

NOW, THEREFORE, BE IT RESOLVED that each participating jurisdiction, and Mountain Home Air Force Base, and the Idaho National Guard, believe that it will be mutually beneficial to work together to implement the JLUS strategies.

WE, THEREFORE, recognize the importance of coordination and collaboration to help foster communication and joint planning among military installations and local communities and agencies, which will help protect the viability of current and future missions, while at the same time guiding growth, sustaining the economic health of the region, protecting public health and safety, and private property rights.

Dated this 22nd day of July, 2013

ELMORE COUNTY COMMISSIONERS

/S/ ALBERT HOFER, Chairman

/S/ FRANKLIN L. CORBUS, Commissioner

/S/ WESLEY R. WOOTAN, Commissioner

ATTEST: /S/ BARBARA STEELE, Clerk

Chairman Hofer discussed adding a landing pad for Life Flight on the Pine Emergency Services Building grounds. Mr. Christy will research the covenants to see if there would be any restrictions regarding landing a helicopter on the property. He will be attending a Planning and Zoning Commission meeting in

Pine next week and will include the discussion of the landing pad and a visit to the proposed site. A backup generator for the building was also discussed.

Motion by Wootan, second by Corbus, to approve the Ambulance District Expenses in the amount of \$138,157.00 payable to Sawtooth Emergency Vehicles.

HOFER -AYE

CORBUS -AYE

WOOTAN -AYE

Motion carried and so ordered.

Clerk Steele reviewed the Ambulance District and Pest Abatement District FY2014 budgets.

Ronda and Randy Avery, Idaho Waste Systems appeared to update the Board. Last week there was a fire at the Simco Road Landfill. They have installed the tire shredder and have run several shredder tests. Ms. Avery reviewed the price per ton of waste at the Bennett Road Landfill. Currently, the rate is \$11.00 per ton effective February 2009. Ms. Avery requested an increase to \$13.30 per ton. The Board will review the request and get back to Ms. Avery.

The Oasis Fire Protection District was discussed. Oasis has been trying to resolve an issue the problem of fire protection within the Tipanuk area, which is outside of the Oasis Fire Protection District. Due to their limited resources they are unable to provide service outside of the district area. The Oasis members feel that the Tipanuk community needs to be aware of the coverage situation and find a solution to their needs. The Board will meet with the Oasis members to discuss the issue.

Alan Bermensolo, Mountain Home Fire Chief, appeared to discuss the burn ban ordinance and open campfires in Boise National Forest campgrounds. Mr. Bermensolo has received several phone calls in the past few weeks from people who have called the Forest Service asking if they can have campfires on forest service land. The Forest Service has no burn ban currently in effect, but the county burn ban states that open burning (in a manner in accordance with the ordinance) shall be permitted on all public and private lands inside the city limits of any city within the county and inside the boundaries of any fire protection district. Open burning on any lands outside of these areas is prohibited, which would include the Boise National Forest campgrounds. Mr. Bermensolo stated that when the burn ban ordinance was being drafted, it may not have been intended to be so restrictive regarding forest service land and may need to be amended to allow the forest service to decide when open burning should be allowed on their lands. Attorney Grant stated that the burn ban ordinance can be changed to include established campgrounds with approved fire pit/rings, if the Board so chooses. He will discuss the concerns with Sheriff Layher and the Boise National Forest personnel.

Attorney Grant spoke with a representative of AT&T regarding an easement agreement across the fair grounds to install fiber optic cables. AT&T submitted installation plans to the Land Use and Building Department and requested approval for the project. They currently have no easement agreement with the

county for the project. Attorney Grant advised AT&T to not do any work on county property until they obtain the county's consent to do so.

Expenses were discussed.

Motion by Hofer, to approve and sign the letter to the City of Mountain Home regarding future adjustments to the Cooperative Agreement with Elmore County for Dispatch Services. Discussion followed regarding what financial adjustments may be made to the agreement. Motion died for a lack of a second.

Motion by Wootan, second by Corbus, 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 Reconsideration on case K-01-13-04. Roll call vote was taken.

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

A Hearing of Reconsideration was held on case K-01-13-04. 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, Social Services Assistant Candy Hinton, Attorney Michael Hague, representing Elmore 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-01-13-04 Motion by Wootan, second by Corbus, to approve with a reimbursement order of \$50.00 per month and 50% of Federal and State tax refunds as payment.

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

Motion by Hofer, second by Corbus, to approve the Expenses in the amount of \$178,108.72, with the exception of a computer repair bill for the jail.

HOFER -AYE

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

Motion by Hofer, second by Corbus, to approve the Certificates of Residency for Alexander J. Brown, Jeremy Dan Gilies, Cadee Lyn Holtgrewe and Kaelynn J. Mills.

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

Motion by Hofer, second by Wootan, to approve Tax Cancellation No. 1208 IBC Sales Corporation - \$37.72.

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

Motion by Wootan, second by Corbus, to approve and sign the Human Resources Fee for Service Contract Agreement with Jon Sowers, dba Horizon Human Resources Consulting.

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

The proposed jail storage building was discussed. Building specifications, construction and bid requirements were reviewed.

A lean-to attachment or building an addition onto the Pine Emergency Services building to house Extrication vehicles was 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-06-13-02 Motion by Wootan, second by Hofer, to deny as applicant has failed to cooperate to determine eligibility, residency or last resource. Elmore County is unable to locate the applicant.

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

K-06-13-03 Motion by Corbus, second by Hofer, to deny as unable to determine residency, indigency and not last resource. Elmore County does not have all of the medical records.

HOFER -**AYE**

CORBUS -**AYE**

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

Motion carried and so ordered.

The jail storage building discussion was revisited. The pros and cons of constructing a building versus purchasing a prebuilt storage unit were discussed. Dimensions of the building and what items would need to be stored in the building were reviewed.

Chairman Hofer discussed a property in foreclosure in Pine and the possibility of the county acquiring the property.

Requirements for employees to get reimbursements for items purchased were discussed.

Motion by Wootan, second by Hofer, to adjourn.

HOFER -**AYE**

CORBUS -**AYE**

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

Motion carried and so ordered.

ALBERT HOFER, Chairman

ATTEST:

BARBARA STEELE, Clerk