

**COMMISSIONERS MINUTES**

**NOVEMBER 12, 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 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.

Vivian Garcia, Elections Clerk, appeared to have the board canvass the November 5, 2013 election. Clerk Steele reviewed the process for deciding a winner in the event of a tie.

Motion by Hofer, second by Wootan, to approve the canvass of the November 5, 2013 election.

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

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

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

**Motion carried and so ordered.**

Sheriff’s Department Chief Deputy Mike Barclay appeared to review specifications and pricing on the purchase of new vehicles for the department. Newly hired employees at the jail were also discussed.

Motion by Hofer, second by Wootan, to go into Executive Session pursuant to I.C. 67-2345(f) to discuss a possible 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.

Chairman Hofer discussed an issue regarding a snow removal contract between the Atlanta Highway District and Boise County.

Steve West and Ryan Morgan, of Centra Consulting Inc., appeared to update the board of the progress of the arid exemption for the Bennett Road landfill. Mr. West stated that they had submitted a proposed plan to the Department of Environmental Quality (DEQ) to dig seven soil test pits to get the arid exemption completed. After another meeting with DEQ, Mr. West was informed that they will now need to dig bore holes to confirm there is not a perched aquifer under the site. Mr. West must now prepare a new plan to include the borings and bids for the digging and present it to DEQ for approval so they can proceed with the work. Then he will resubmit the application for the arid exemption. Discussion followed regarding the steps that need to be taken to complete the project and get the arid exemption in place.

Commissioner Wootan excused himself from the meeting to attend a funeral.

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 Reconsideration on case K-09-12-07. Roll call vote was taken.

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

A Hearing of Reconsideration was held on case K-09-12-07. Present at the hearing were Chairman Al Hofer, Commissioner Bud Corbus, Civil Attorney Buzz Grant, Clerk Barbara Steele, Deputy Clerk Shelley Hooper, Social Services Director Marianne Bate, James Dorman, attorney for the applicant 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-09-12-07 Motion by Hofer, second by Corbus, to take the case under advisement.

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

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

K-08-13-01 Motion by Corbus, second by Hofer, to sign an Order of Dismissal as the provider withdrew their appeal. The application was approved in Payette County.

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

K-06-13-01 Motion by Corbus, second by Hofer, to sign an Order of Dismissal as the provider withdrew their application and appeal.

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

Motion by Hofer, second by Corbus, to go into Executive Session pursuant to I.C. 67-2345(b)(f) to discuss a personnel issue and possible litigation.

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

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

Regular session resumed. Commissioner Wootan rejoined the meeting.

Carol Killian, Disaster Services Coordinator and Alan Christy, Land Use and Building Department Director appeared to provide a fire recovery update in the Fall Creek area. Ms. Killian met with the Army Corps of Engineers and the National Forest Service and they feel there is no eminent danger of flooding at this time. If future flooding occurs, the Forest Service will have a team in place to respond to any debris issues. Molly Wood, of the US Geology Service is encouraging the placement of the precipitation monitors and will meet with the board to discuss the concerns. Mr. Christy stated that the real time data from the monitors may be beneficial and suggested placing a few monitors on the river in the western edges of the area. Chairman Hofer was told that there will be no logging in the area and feels that is a major concern. Mr. Christy stated that reseeded efforts have begun in certain areas. The Bureau of Reclamation has planted trees and seedlings.

Mr. Christy discussed the current salary for the county Building Inspector.

Motion by Corbus, second by Hofer, to approve a 3% salary increase for the Elmore County Building Inspector, retroactive to the first pay period in fiscal year 2014.

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

Mr. Christy also discussed a request for a reduction on a building permit fee from Tye Reily. Mr. Riley has requested a reduction from a \$264.00 permit to a \$150.00 Ag permit. Mr. Christy stated that according to the county ordinance, the parcel must contain 5 acres or more of land to qualify for an Ag building permit. Mr. Riley only has 4.9 acres of land, so he will not qualify for an Ag building permit. Mr. Christy stated that he has discussed this issue with Mr. Riley and suggested to him that he have a survey done and to do a boundary line adjustment to get the 5 acres of land needed for the exemption.

Mr. Christy felt that the board should be aware of this request, as Mr. Riley is the brother of the county building inspector.

Traci LeFever, E911 Coordinator appeared. She was awarded a 2014 IECC Grant in the amount of \$2,000.00. Ms. LeFever also discussed the unlimited power supply (UPS) in the dispatch room. She has researched pricing for new systems, but for a new system to be installed, the E911 board requires approval for the project from the sheriff, not Ms. LeFever. Sheriff Layher appeared and stated he will meet with the dispatchers regarding the electrical and system needs in the dispatch room. He will also meet with the E911 board and give his consent for Ms. LeFever to make decisions regarding the UPS project.

Motion by Wootan, second by Hofer, to approve the minutes for October 28, 2013.

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

Motion by Wootan, second by Corbus, to suspend the reading of Resolution No. 536-13 and refer to it by title only.

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

Motion by Wootan, second by Corbus, to approve Resolution No. 536-13 Transfer of Funds from PILT to District Court and the Justice Fund.

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

**RESOLUTION NO. 536-13**

**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 November 12, 2013, and the need to amend the County budget has been satisfactorily demonstrated to the Board of Commissioners.

**IT IS HEREBY RESOLVED:**

- 1. That \$75,000.00 from line item 138.338.00.099.00 PILT, be transferred to line item 126.326.00.098.00 District Court to cover the expenses.
- 2. That \$300,000.00 from line item 138.338.00.099.00 PILT, be transferred to line item 90.390.00.098.00 Justice Fund to cover the expenses.
- 3. That this resolution shall be effective November 12, 2013.

**PASSED**, at a regular meeting of the Elmore County Board of Commissioners in the County of Elmore, State of Idaho, held on the 12th day of November, 2013, 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**

Motion by Wootan, second by Corbus, to suspend the reading of Resolution No. 537-13 and refer to it by title only.

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

Motion by Wootan, second by Corbus, to approve Resolution No. 537-13 Retirement Party Expenses.

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

**RESOLUTION NO. 537-13**

**AT A MEETING OF THE BOARD OF ELMORE COUNTY COMMISSIONERS, STATE OF IDAHO, ON THE 12<sup>th</sup> DAY OF NOVEMBER 2013, THE FOLLOWING RESOLUTION WAS ADOPTED, TO WIT;**

WHEREAS, Elmore County (the “County”), acting through its Board of Commissioners (“Board”), pursuant to Idaho Code §§ 31-601 and 31-604 has the authority to effectively carry out the duties imposed by the provisions of the Idaho Code and Constitution; and

WHEREAS, the Board has the power and authority to perform the duties of the chief executive of the County pursuant to Idaho Code § 31-828; and

WHEREAS, from time to time, certain valued employees with twenty (20) years of service retire from the County and the County would like to express the County’s appreciate for their service to the County in the form of making a contribution for up to One Hundred Dollars (\$100.00) for food, non-alcoholic beverages or supplies for the employee’s retirement party.

NOW THEREFORE, BE IT THEREFORE RESOLVED, the Board of Elmore County Commissioners hereby approve a contribution not to exceed One Hundred Dollars (\$100.00), to be paid for out of the general funds of the County, for food, non-alcoholic beverages or supplies in connection with one retirement party for any Elmore County employee with twenty (20) or more years of service with Elmore County. This contribution shall not be paid out in cash in the event the retiring employee elects not the have a retirement party.

BE IT FURTHER RESOLVED, the Board hereby ratifies any expenditure made within thirty days prior to the adoption of this Resolution any contributions or expenditure made consistent with this Resolution. In the event of any conflict with any prior Resolution or policy of the County, the Resolution shall control.

Approved as a Resolution of the Elmore County Board of Commissioners effective on this 12<sup>th</sup> day of November 2013.

**ELMORE COUNTY COMMISSIONERS**

**/S/ ALBERT HOFER, Chairman**

**/S/ FRANKLIN L. CORBUS, Commissioner**

**/S/ WESLEY R. WOOTAN, Commissioner**

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

Motion by Corbus, second by Wootan, to approve the corrections to the contract between Elmore County and Bill Riley, doing business as Riley Construction, LLC for an addition to the Pine EMS building. When signed, the contract read Billy Riley Construction and was corrected to read Riley Construction LLC.

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

**Motion carried and so ordered.**

Motion by Corbus, second by Wootan, to approve the Pest Abatement District Expenses in the amount of \$53.95, payable to K&H Quick Lube.

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

**Motion carried and so ordered.**

Motion by Corbus, second by Wootan, to approve the Ambulance District Expenses in the amount of \$252.75, payable to Valley Co-Ops Inc.

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

**Motion carried and so ordered.**

Motion by Wootan, second by Corbus, to approve the payroll for October 2013 in the amount of \$401,956.79.

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

**Motion carried and so ordered.**

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

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

**Motion carried and so ordered.**

Motion by Hofer, second by Wootan, to approve the Certificate of Residency applications for Adrian S. Arevalo, Cierah J. Bish, Rebekah Anne Bishop, Darby Lynn Fox, Angelina Castro Garcia, Catalina M. Garcia, Ashley Jacarra Harmon, Austin Grant Seegrist, Shelby L. Sloan, Samantha Louise Staebler, Blanca J. Valle and Kelly M. Massey

**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 \$403,890.76.

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

**Motion carried and so ordered.**

Terri Hughes, Chief Deputy Assessor, appeared to review two Casualty Loss Exemption Forms. One of the forms was for parcels that were used for dry grazing and had no structures on the property. A reduction will not be given to those parcels, as there were no structures valued on the property.

Motion by Wootan, second by Hofer, to approve the casualty loss exemption form for Charles Durand, parcel #01N09E041580 due to the Fall Creek fire.

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

**Motion carried and so ordered.**

Attorney Grant reviewed the specification regarding personal use of county vehicles.

Motion by Hofer, second by Wootan, to approve Tax Cancellation No. 1207 Keith O’Neal Helmick and Sandra R. Helmick - \$1,924.94, No. 1210 Miguel Galvez - \$54.86, No. 1219 Difference in 2013 levy pre-bills – \$947.00, No. 1220 Elk Complex Fire Damage - \$5,819.94, No. 1221 Mary V. Kienlen - \$109.40, No. 1222 Joe A. and Carla F. Bradley - \$508.16, No. 1223 Tax bills less than \$1.00 for 2013 - \$6.02, No. 1224 Elk Complex/Pony Complex Fire Damage - \$698.22 and No. 1225 Steven and Autum Tabet - \$1,715.56. A relative of Commissioner Corbus was listed on a tax cancellation, so he recused himself from the vote.

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

Motion by Hofer, second by Corbus, to add to the agenda the discussions of the snow removal issue with the Atlanta Highway District and Boise County, as the issue arose after the agenda was posted.

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

Motion by Hofer, second by Wootan, to adjourn.

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

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**ALBERT HOFER, Chairman**

**ATTEST:**

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**BARBARA STEELE, Clerk**