

**COMMISSIONERS MINUTES**

**APRIL 28, 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.

Mountain Home resident William Smith appeared to discuss some concerns he has in his neighborhood. He lives in Valley View subdivision. Residents of a home in his subdivision have pigs on their property and Mr. Smith believes that the pigs are roaming close to a well head on the property, and he feels that the animal waste will seep into the well head and eventually into the aquifer, possibly contaminating the drinking water. Mr. Smith stated that he spoke with the Department of Environmental Quality and was told they have a code that states Elmore County has the authority to take care of a well, if it supplies fifty or more people, and he is requesting that the commissioners step in and get a set-back, restricting any animals from grazing or being penned in around a well head. According to Mr. Smith, there are three or more pigs approximately ten feet from the well and six or more horses approximately sixty feet from the well. He also stated that the same residents are also burning garbage, accumulating junk on the property and have several unlicensed vehicles on the property. Mr. Smith stated that these concerns are address in the covenants and restrictions of the subdivision, but currently, there is no active homeowners association to enforce these. Discussion followed regarding possible solutions to the issue and what steps Mr. Smith can take. It was suggested that Mr. Smith and the residents of the subdivision form a homeowners association and enforce the covenants and restrictions of the subdivision. Alan Christy, Land Use and Building Department Director, appeared and was updated as to the issues discussed. He will investigate the complaints and report back to the board with his findings.

A Public Hearing was held to review proposed additions and changes to the landfill disposal fees for the Bennett Road Landfill. John Kieffer appeared and gave testimony regarding the fees at the transfer station. Mr. Kieffer asked for some clarification as to how much waste a resident is allowed to bring to the dump before being charged. Discussion followed as to what type of waste is taken at the landfill. The hearing was closed.

Motion by Hofer, second by Wootan, to suspend the reading of Resolution No. 546-14 and refer to it in title only.

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

**Motion carried and so ordered.**

Motion by Hofer, second by Corbus, to approve Resolution No. 546-14 establishing of solid waste disposal fees for the Bennett Road Transfer Station.

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

**Motion carried and so ordered.**

**RESOLUTION NO. 546-14**

**AT A MEETING OF THE BOARD OF ELMORE COUNTY COMMISSIONERS, STATE OF IDAHO, ON THE 28th DAY OF APRIL 2014, THE FOLLOWING RESOLUTION WAS ADOPTED, WHICH RESOLUTION ESTABLISHES THE SOLID WASTE DISPOSAL FEES FOR THE BENNETT ROAD TRANSFER STATION, TO WIT:**

**WHEREAS**, Elmore County (the “County”), acting through its Board of County Commissioners (“Board”), pursuant to I.C. §§ 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 may, pursuant to Idaho Code § 31-870, impose and collect fees for service the County provides; and

**WHEREAS**, the County may, pursuant to Idaho Code § 31-4401 through – 4411, provide solid waste disposal sites within the county; and

**WHEREAS**, Idaho Code § 31-4404(2) permits the County to collect fees from the users of solid waste disposal facilities; and

**WHEREAS**, Elmore County published a notice of public hearing along with the current fees and the proposed changes to the fees to be charged by the County for solid waste disposal at the Bennett Road Transfer Station, on April 16, 2014 and April 23, 2014 in the Mountain Home News, pursuant to Idaho code § 63-1311A; and

**WHEREAS**, a public hearing was held on April 28, 2014, requesting public input on the issue of raising the fees for solid waste disposal at the Bennett Road Transfer Station; and

**WHEREAS**, the Board received no objection to the proposed fees; and

**WHEREAS**, the Board determined that it needs to change the fees for solid waste disposal at the Bennett Road Transfer Station to more accurately reflect the County’s costs and such fee change is in the best interest of the public.

**NOW, THEREFORE, BE IT RESOLVED**, the Board, in lawful assembled meeting, hereby authorizes, adopts and establishes the fees and charges for solid waste disposal at the Bennett Road Transfer Station as set forth as the “proposed fees” on the chart attached hereto as Exhibit A and incorporated fully herein.

**IT IS FURTHER ORDERED** That the fee changes will be effective April 28, 2014.

DATED this 28th day of April, 2014.

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

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

**EXHIBIT A**

**Bennett Road Landfill  
Located on Bennett Road, just East of Exit 99 off Interstate 84  
6100 SE County Landfill Road  
(208) 724-0917**

**SOLID WASTE DISPOSAL FEES FOR THE BENNETT ROAD TRANSFER STATION:**

<b><u>RESIDENTIAL WASTE</u></b>	<b><u>CURRENT FEES</u></b>	<b><u>PROPOSED FEE</u></b>
-Municipal Solid Waste, yard debris, Up to 2,000 lbs Annually	No charge	No charge
2,000 lbs and over	\$25.00/ton	\$25.00/ton <sup>1</sup>
-Construction waste	\$25.00/ton	\$25.00/ton
-Segregated waste	\$25.00/ton	\$25.00/ton
-Mixed waste	\$50.00/ton	\$25.00/ton
-Dead Animals	\$2.00/100 lbs.	no charge
-Tires:		
Passenger (rimless)	\$1.50/tire	\$3.00/tire
Passenger (on rim)	\$3.50/tire	\$4.00/tire
Truck (medium duty or larger)	\$10.00/tire	\$15.00/tire
<b><u>NON-RESIDENTIAL<sup>2</sup> WASTE</u></b>	<b><u>CURRENT FEES</u></b>	<b><u>PROPOSED FEE</u></b>
Segregated waste	\$40.00/ton	not accepted
Mixed waste	\$60.00/ton	not accepted

Commercial waste, dead livestock, other dead large animals and off-road tires are not accepted at this site and should be taken to the Simco Regional Landfill.

Construction waste, tree limbs and brush should be cut to eight foot lengths.

Note: Fees are due at the time of delivery to the transfer station. Only the Elmore County Board of Commissioners can reduce or waive fees.

**Hours of Operation:**

Monday through Saturday: 9:00 am to 5:00 pm

Closed on: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas Day.

The monthly department heads meeting was held.

<sup>1</sup> Minimum Fee \$10.00 after 2,000 lbs. Previously the minimum fee was \$2.00

<sup>2</sup> All wastes which do not qualify as residential wastes

Mir Seyedbagheri, County Extension Office, appeared to update the board. Mr. Seyedbagheri is looking to hire another full time pest employee. Chairman Hofer reviewed the past years hours for current pest employees and questioned how they can justify a full time person. Mr. Seyedbagheri explained that his department has been doing the best they can, making time for as many requests as possible. He feels that they need another employee so they have enough manpower to handle all the requests. Mr. Seyedbagheri is also hiring another office employee, as he is current employee is working increased overtime hours to accomplish all of her daily tasks. He would like to hire the new employee part time and give a raise to the current employee. The board agreed to the raise.

Motion by Wootan, second by Hofer, to approve and sign the Mosquito Surveillance Agreement between the Elmore County Pest Abatement District and the Central District Health Department.

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

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

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

**Motion carried and so ordered.**

Wade Baumgardner, Veterans Services Officer, appeared to give his monthly update. He has used maps provided by the city to identify graves of veterans at the Mountain View Cemetery. There has been a problem identifying veterans graves since the headstones don't indicate the person is a veteran. This is very important for placing flags at graves for Memorial Day. He has been assisting veterans with requests for disability compensation increases, receiving reimbursements for funeral costs and help enrolling in the VA's Healthcare program. The semi-annual "Outreach" visit to the Pine/Featherville area will be scheduled for sometime in mid May. Since last month he has assisted twenty three veterans, spouses and family members with specific VA issues.

Alan Roberts, Extrication Department, appeared. Activity has been picking up. They have responded to three major accidents in the last week. St. Luke's Elmore billing for extrication calls was discussed. Commissioner Corbus will follow up with this issue. They will be holding a "Texting and Driving" presentation at the Mountain Home High School on Wednesday at 11:30 am. He has ordered a new pump and generator to add to the equipment on their large extrication truck. The extrication crew in Pine just finished a CPR class, and will be able to backup the Pine EMS if needed.

Jennifer Crogg, Misdemeanor Probation appeared. The total number of clients on probation is one hundred fifty nine. As of this date, ten clients were added to the case load and sixteen clients were released or terminated from probation. The number of conditional release clients is thirty seven. They have had seven restitution cases. Currently, there are thirty eight clients enrolled in Community Service, which are clients on unsupervised probation only.

Tracy LeFever, E911 Coordinator, appeared to inform the board that she will be out of town for training for the next two weeks. The Uninterrupted Power Supply will be installed on Friday morning, with Centurylink and an electrician present to help with the installation and conversion.

Steve Dye, Juvenile Probation Director, appeared. One of his juvenile probation officers has resigned. Mr. Dye has received applications and will be holding interviews tomorrow to fill the position. He reviewed the caseload summary for the month.

Katie Ashby, Drug Court Coordinator, updated the board of her monthly progress. The program is starting to show increased success rates for participants. Two participants have completed their service projects. The “Feed the Needy” food drive was held at Carl Miller Park this past Saturday. One thousand pounds of food was collected and will be split between three local food banks. An Easter basket donation project was held and approximately forty baskets were distributed to the residents at the Sunset Manor assisted living center.

Alan Lawler, RC&D, appeared to update the board. He attended the Southwest Idaho Fire Mitigation Forum and learned of an organization called Horses for Clean Water, which has a Firewise for Ranchers program, designed to guide ranchers through fire safety procedures for their ranches. There is a website with informational downloads for ranch owners. Mr. Lawler feels the website is very informative and would like to see the link to the website put on the county website. He is researching wildfire grants. He is also working with local fire fighters to get their input as to the best areas for fire breaks and is working on getting into the Bureau of Land Management program for funding for the fire breaks.

Alan Christy, Growth and Development Director appeared. Mr. Christy and two staff attended code enforcement training last week, which was very informative. Mr. Christy reviewed his findings of complaints made earlier in the meeting by William Smith. There is only one unlicensed vehicle on the property and according to county ordinance, Mr. Christy’s office cannot do anything unless there is two or more unlicensed vehicles on the property. The property appears “cluttered”, but it would not be classified as a “nuisance”. Mr. Christy stated that there is nothing his office can do about the complaints and agreed that Mr. Smith will have to revert back to the homeowners association and the covenants and restrictions of the subdivision. Mr. Christy continued his monthly update. Fourteen building permits were issued for April 2014 and there are three pending building permits. His staff is working on the comments from the Comprehensive Plan and anticipate scheduling a public hearing with the Planning and Zoning Commission shortly.

The monthly elected officials meeting was held.

Sheriff Rick Layher and Chief Deputy Mike Barclay appeared to update the board. They attended a two day Active Shooter seminar, held by the FBI. Sheriff Layher discussed the issue of illegal drugs in the area. Personal use of county vehicles was also discussed.

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

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

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

**Motion carried and so ordered.**

Regular session resumed.

Russ Duke, Marty Jones and Yolanda Hurtado, of the Central District Health Department appeared to review their FY2015 Budget. The budget hearing will be held on May 16, 2014 in Boise County. The chairman representing each of the four districts attends the hearing and will decide on approving the budget. They are requesting a 3% increase from the counties. Ad County, Boise County, Elmore County and Valley County are included in the budgeting increase. The amount of the contribution from each county is figured out through calculations based on market value increases and population increases in each county. Elmore County will actually pay less of a contribution than last year due to the formula. Mr. Duke reviewed expenditures and programs that will be included in their budget. Discussion followed regarding reserve funds and state appropriations. Ms. Hurtado reviewed the programs she oversees. Chairman Hofer suggested that she visit with Steve Dye, Juvenile Probation Director, to see if there may be some services she can provide to those juveniles on probation.

County Treasurer Rose Plympton appeared. Her department is getting ready to process distraint warrants on delinquent personal property tax was owed from December 2013. They are running reminders for June tax collections. Currently, they have thirteen parcels for the May 12<sup>th</sup> tax deed sale.

County Assessor Ron Fisher appeared. The deadline for homeowners exemption applications and circuit breakers was April 15<sup>th</sup>. They have finished the ratio study and are still working on property values. Sales and values of properties in the burned out wildfire areas were discussed.

Clerk Steele stated her department started absentee voting today for the May 20<sup>th</sup> Primary election. Absentee voting will run through Friday, May 16<sup>th</sup> at 5:00 P.M. She will be starting budget hearings with the board in June.

Carol Killian, Disaster Services Coordinator, appeared to update the board. Ms. Killian and Clerk Steele will be meeting with FEMA the week of May 5<sup>th</sup> regarding the Trinity Ridge Fire. She attended a web EOC training meeting this morning. She will be putting a critical infrastructure list on the web EOC. She will also be putting together a list of the Elmore County's portable emergency equipment in the event a neighboring county has a disaster and are in need of extra equipment.

Dustin Fink, of Penner & Fink Insurance, appeared to discuss ICRMP insurance. Mr. Fink was contacted by the Idaho Counties Risk Management Program (ICRMP) last week and was asked to meet with the board to discuss becoming the county's new ICRMP representative. Clerk Steele reviewed the county's necessities. Mr. Fink's company currently handles ICRMP insurance for the City of Glens Ferry, the highway district, several irrigation districts and the library district, so his company is familiar with the ICRMP program. Mountain Home City Mayor Tom Rist and City Clerk Nina Patterson also attended the



**WOOTAN..... -ABSENT** **Motion carried and so ordered.**

K-03-14-06 Motion by Corbus, second by Hofer, to deny as not the last resource and the date of service 12/15/13 was not timely filed.

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

K-03-14-08 Motion by Corbus, second by Hofer, to approve with a reimbursement order of \$50.00 per month as payment and 50% of Federal and State tax refunds beginning in 2015.

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

K-03-14-09 Motion by Corbus, second by Hofer, to approve with a reimbursement order of \$25.00 per month and 50% of Federal and State tax refunds as payment, with re-evaluation of monthly payment in one year.

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

K-11-13-10 Motion by Corbus, second by Hofer, to sign the order of dismissal as the county received a withdrawal of the appeal from St. Luke’s Elmore. The hearing which was set for 5/19/14 has been vacated.

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

Motion by Hofer, second by Corbus, to approve the expenses in the amount of \$126,699.27.

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

Motion by Hofer, second by Corbus, to approve the Pest Abatement District Expenses in the amount of \$35.61, payable to Centurylink.

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



