

COMMISSIONERS MINUTES

AUGUST 18, 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 4th East, Mountain Home, Idaho.

Present at the meeting were Chairman Al Hofer, Commissioner Bud Corbus, Civil Attorney Buzz Grant, Clerk Barbara Steele, and Deputy Clerk Shelley Hooper. Commissioner Wootan will join the meeting later.

Jeff Day, Waterways Department, appeared to update the board on the Hammett board ramp project. Idaho Fish and Game may be able to secure approximately \$30,000.00 in funding for the project. As the Chairman of the Waterways board, Mr. Day feels that they can possibly chip in some funding as well. Since the county owns the property, a Memorandum of Understanding will need to be in place, for basic maintenance on the property. The restoration project will include pouring two concrete slabs, which will be placed in the water for the ramp, replacing the dock, clearing out brush downstream and making the parking lot bigger. Mr. Day was told that a King Hill resident may donate the gravel for the parking lot. An outhouse is planned for the area. There will be signage put up describing the Fish and Game access.

The public portion of the meeting was held. Rich Gorman appeared to discuss dump fees at the Bennett Road Transfer Station. Mr. Gorman went to the transfer station and was surprised by the \$25.00 fee for dumping a large cardboard box and some planks of wood. Discussion followed regarding the recently updated fees. Signage is in the process of being made will be posted in the near future advising residents of the fee changes as they enter the transfer station. The board contacted Randy Avery of Idaho Waste Systems by phone regarding the issue. Mr. Avery stated that he is working on the signage and will have them posted as soon as possible. He will also advertise the changes in the local news paper. Also discussed was the issue of hot burn barrel ashes and how they can be dumped at the transfer station. Mr. Avery will look into digging a separate pit at the transfer station where the ashes can be dumped to insure they are cooled before being transferred to the landfill.

Commissioner Wootan joined the meeting.

Von and Debbie Bross, King Hill residents, appeared. Their property is located right outside of the boundaries of the King Hill Herd District and they would like to know how they can join the district. They own fourteen acres of land near a creek. Mr. Bross stated that his major concern is how to protect the creek in the area, as a portion of their drinking water comes from the creek. He understands that the cattle need to use the creek for drinking as well and a few cows will not hurt the water supply, but if someone decides to graze a huge herd of cattle, it may affect his drinking water and cause possible erosion to the creek bank and feels the water shed will be compromised. Attorney Grant explained the statute and the steps that need to be followed to join or create a herd district. It was suggested that they speak with Idaho Department of Water Resources or the Department of Environmental Quality to express

their concerns of protecting the water shed in their area. Alan Christy, Land Use and Building Department, will research if and how other counties deal with this issue.

Sheriff Rick Layher appeared. Chairman Hofer questioned whether the sheriff can utilize inmates for some community services, such as painting houses for elderly or handicapped residents. Commissioner Corbus also suggested using the inmate labor to work with cities cleaning up nuisance properties or any public hazards. Sheriff Layher explained the requirements for using inmate labor and what type of labor they can and cannot do. Sheriff Layher visited the Atlanta area and updated the board of the mudslide and flood damage. He also spoke with the Atlanta Fire Chief regarding the fire station. When Atlanta built the fire station, they left the upstairs basically unfinished and suggested that the county may want to renovate the upstairs to house deputies when they are in the area.

Commissioner Corbus updated the board on the Ambulance Oversight Meeting. Dr. Brininger is content with the current letter agreement in place for medical director services and does not feel he needs to sign a contract with the county for this service. Commissioner Corbus stated that EAS needs to hire additional staff. They have two proposals for hiring new employees to help cut down on overtime costs. The state EMS department will be meeting with EAS on September 25th and 26th to do an assessment and analyze the county's EMS needs. Trish Senger, St. Luke's Elmore, will meet with the board later in the day to review the hiring proposals.

Dale Nalder, Idaho Bureau of Homeland Security and Carol Killian, Disaster Services Coordinator, and Carl Pharris, Mountain Home Highway District, appeared to discuss the recent mudslide and flood damages and disaster funding. Ms. Killian has been surveying the damaged areas and stated that there are three complete road washouts on Blacks Creek Road, so the road will not be reopened until later this week. Granite Creek has washed down into the river and changed the flow of the river. Meadow Creek Road is now passable, but still a mess. Mr. Nalder explained the process of how the county seeks state and federal funds to help them offset the damages. First the county needs a local disaster declaration resolution, which they have done and will be extending for sixty days today. Next, the Mountain Home Highway District and the Atlanta Highway District each need to define what help they need, such as financial assistance, technical assistance, equipment, engineering, etc. The needs must be documented with photographs, including GPS coordinates and a description of the incident. They also need to state what they can and cannot do to take care of their disaster. The county must also state how they can and cannot help these entities and how it would financial impact the county budget. Mr. Nalder stated that the stretch of the Middle Fork Road in the Atlanta Highway District may be eligible for federal assistance because it is a federal highway. The only way that road would be eligible is if the governor and the state step in and declare a disaster on the county's behalf. Mr. Nadler stressed defining the importance of fixing these roads, especially the road in Atlanta. Mr. Pharris explained that the Mountain Home Highway District has been so busy trying to cleaning up the mudslide disaster, they are getting behind on regular road maintenance projects. Mr. Nadler stated that Mr. Pharris needs to document that and submit it with his request for assistance. Discussion followed.

Motion by Hofer, second by Corbus, to approve the minutes for July 7, 2014.

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

Motion carried and so ordered.

Motion by Wootan, second by Hofer, to approve and sign the thank you letter to the Pine Senior Center.

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

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 -**AYE**

Motion carried and so ordered.

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

K-01-14-02 Motion by Corbus, second by Wootan, to sign the Order of Dismissal. St. Luke’s Elmore withdrew the appeal as crime victims paid all of the bills.

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

Motion carried and so ordered.

K-04-14-04 Motion by Corbus, second by Wootan, to sign the Order of Dismissal as St. Luke’s withdrew their appeal.

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

Motion carried and so ordered.

K-07-14-02 Motion by Wootan, second by Corbus, to approve with a reimbursement order of \$40.00 per month and 50% of Federal and State income tax refunds as payment.

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 Courtney Ann Frank, Joel Garcia, Stormy Graciella Gates, Virginia Louise Lindsay, Daelene Sueann Tibbits,

Danielle R. Flacksenburg, Amanda Lee Caraway, Amaya Marie Mallea-Gluch, Oscar Gomez Rangel and Rydell L. Smith.

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

Motion carried and so ordered.

Motion by Wootan, second by Corbus, to suspend the reading of Resolution No. 551-14 and refer to it in title only.

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

Motion carried and so ordered.

Motion by Wootan, second by Corbus, to approve Resolution No. 551-14 Expansion of and Extension of the Declaration of Local Disaster Emergency regarding mudslides.

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

Motion carried and so ordered.

**EXPANSION OF AND FIRST EXTENSION TO ELMORE COUNTY
DECLARATION OF LOCAL DISASTER EMERGENCY, DECLARED UNDER ELMORE
COUNTY RESOLUTION NO. 550-14**

RESOLUTION NO. 551-14

AT A MEETING OF THE BOARD OF ELMORE COUNTY (the “County”) COMMISSIONERS (the “Board”), STATE OF IDAHO, ON THE 18TH DAY OF AUGUST 2014, THE FOLLOWING RESOLUTION WAS UNANIMOUSLY ADOPTED, TO WIT;

WHEREAS, the Board, pursuant to Idaho Code §46-1011, has the authority to declare a state of local disaster emergency regarding the County; and

WHEREAS, the Board, on August 11, 2014, passed Resolution No. 550-14 (“Initial Declaration,” the Initial Declaration as modified herein by the addition of the Secondary Mudslides shall also be referred to herein as the Initial Declaration) declaring a state of local disaster emergency regarding mud slides which occurred on the following roadways on the following dates: Middle Fork Boise River Forest Road #268, #205 and #207, Blacks Creek Road #189, Dixie-Anderson Ranch Road #134, Pierce Creek/Cow Creek Road #131 and South Fork Boise River Road #121 located in the County occurring from storms of July 31, August 5, 6 and 7, 2014 (the “Initial Mudslides”); and

WHEREAS, the Board has determined that the additional mud slides located in the County on the following road: Meadow Creek Road #129, which occurred from a storm on August 12, 2014, are a local disaster emergency (“Secondary Mudslides,” the Initial Mudslides and the Secondary Mudslides, shall be referred to herein as the “Mudslides”); and

WHEREAS, the Board had determined to include the Secondary Mudslides into the Initial Declaration; and

WHEREAS, the declaration of local disaster emergency under Idaho Code is §46-1011(1), is limited in duration to seven days unless it is continued or renewed for a period in excess of seven days with the consent of the governing board of the political subdivision; and

WHEREAS, the Initial Declaration runs from August 11, 2014 through August 18, 2014; and

WHEREAS, the Board desires to extend the declaration of local disaster emergency from August 18, 2014 through October 20, 2014; and

WHEREAS, the Board has determined that the Mudslides located in the County, are a local disaster emergency; and

WHEREAS, a local disaster emergency exists in the County and the County requires state emergency assistance to supplement local efforts to protect life and property and to activate the response and recovery aspects of any and all applicable local or intergovernmental disaster emergency plans and to authorize the furnishing of aid and assistance thereunder; and

WHEREAS, the Board requests that the Governor of the State of Idaho, together with the other appropriate state officials, along with other appropriate federal officials, to make such declarations, and provide such assistance within County as required and allowed by law.

NOW, THEREFORE, BE IT RESOLVED, that Elmore County Board of Commissioners does hereby declare, pursuant to Idaho Code §46-1011, that a local disaster emergency exists in Elmore County, Idaho; and

BE IT FURTHER RESOLVED, that the Governor of the State of Idaho be advised of this local disaster emergency and is requested to take all action available for the amelioration of the above described local disaster emergency; and

BE IT FURTHER RESOLVED, that the Elmore County Recorder be directed to properly file this Resolution pursuant to Idaho Code Section 46-1011 and that the Elmore County Clerk provide prompt and general publicity of this declaration.

BE IT FURTHER RESOLVED , that this Resolution shall remain in effect for sixty three days, unless it is extended by the Elmore County Board of Commissioners.

Approved as a Resolution of the Elmore County Board of Commissioners effective on this 18th day of August 2014.

ELMORE COUNTY COMMISSIONERS

/S/ ALBERT HOFER, Chairman

/S/ FRANKLIN L. CORBUS, Commissioner

/S/ WESLEY R. WOOTAN, Commissioner

ATTEST: /S/ BARBARA STEELE, Clerk

Treasurer Rose Plympton appeared to explain how her office can include collections of liens on the tax bills that are sent out.

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

HOFER -AYE

CORBUS -AYE

WOOTAN..... -AYE

Motion carried and so ordered.

Regular session resumed.

Mel Coulter, Emergency Program Supervisor for the Idaho Transportation Department (ITD) appeared. His major role is making sure ITD is prepared for any emergency that may arise and can respond quickly and work well with other agencies to resolve the emergency. Public safety is their main goal, getting the highways cleared and traffic moving safely as quickly as possible and keeping the fires from spreading to properties. It has come to the attention of the board that ITD has entered into an Automatic Aid Agreement with Orchard Combat Training Center for fire protection on Interstate 84 beginning at milepost 64 to milepost 81. Commissioner Corbus stated that this agreement is a huge concern for the emergency responders in Elmore County due to the fact that milepost 72.5 through milepost 81 of the interstate is located in Elmore County and none of the county emergency responders were contacted regarding the contract or if they needed fire protection help. Mr. Coulter stated that he met with Oasis Fire Protection District and was told by them that they felt that Orchard Training Center would be able to respond to interstate emergencies quicker than they could. Commissioner Corbus stated that was not what Oasis understood about the discussion. He also explained that Elmore County has several emergency entities that already provide the emergency services on the stretch of the interstate that is located in county. Commissioner Corbus stated that these entities will continue to provide the services within the county limits and wants Mr. Coulter to implement that into the contract with Orchard Training Center or provide a separate agreement with Elmore County. Mr. Coulter explained that the fire contracts

are not jurisdictional or by boundary, they go by who can provide the quickest response possible, regardless of where the responder comes from. Commissioner Corbus stated that response times are not an issue. The Orchard Training Center is located 7.5 miles off the interstate and Commissioner Corbus is confident that all Elmore County entities can respond faster than Orchard Training Center can. A lengthy discussion followed regarding response times. Sheriff Rick Layher expressed concerned over incident command according to this contract and having another entity taking over his jurisdiction. Commissioner Corbus requested a meeting be held between Mr. Coulter, Sheriff Layher, the Mountain Home Fire Chief, the Glens Ferry Fire Chief and Oasis Fire Protection District to discuss how to put emergency protection agreements in place for Elmore County entities.

Trish Senger, St. Luke’s Elmore, appeared to discuss overtime issues at the Elmore Ambulance Service (EAS). The overtime accrued by EAS personnel is rapidly increasing and a solution needs to be found. Ms. Senger offered some proposals to try to alleviate the increased overtime pay. The most feasible plan would be a \$48,000.00 increase which will include hiring three paramedics and two EMTs. Also, doing away with the “sleep time” pay practice will be a \$30,000.00 increase. There was a question of whether adding these new employees will generate enough revenue to cover the increased costs. Ms. Senger explained that she estimated the revenue increases and came up with a net total of an approximate cost of \$86,000.00 to the county. This cost will include merit increases, adding of the new employees and doing away with “sleep time” pay.

Motion by Corbus, second by Hofer, to approve an increase to the Ambulance District budget, to cover hiring additional Elmore Ambulance Service personnel and to do away with sleep time, with the county contribution not to exceed \$90,000.00.

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

Motion carried and so ordered.

The discussion regarding the Automatic Aid Agreement with Orchard Combat Training Center was revisited. Nick Anross, Orchard Training Center Fire Chief, Dan Johnson, Deputy Director of the Orchard Combat Training Center and Mark Larson, State Fire Marshall also joined the discussion. Mr. Johnson stated that their main goal is to provide fire protection to the public and feels that they can work together with the county to accomplish that. The question of whether Mountain Home Fire Department could respond to an incident as quickly as Orchard Fire Department was raised again. Mr. Larson explained that the Idaho Survey and Rating Bureau assigns ratings to fire departments, based on several factors, gauge the effectiveness of the department. Based on their evaluation of the response times and the ability of the Mountain Home Fire Department, which is volunteer, they were given the same rating as the Boise Fire Department, which has seventeen fire stations, more equipment and three hundred fire fighters. Mr. Anross stated that when talks of the agreement were started they did not reach out to speak with Mountain Home, since the Oasis Fire Protection District was responsible for the area. Commissioner Corbus reiterated the fact that Elmore County wants to be involved in fire protection agreement and he

would like a meeting involving all of the players so a new agreement can be reached. Mr. Coulter agreed to a meeting to try and resolve the issue. It was decided that a meeting will be held on Monday August 25, 2014 at 10:00 a.m. at the Elmore County Jail, with Mr. Coulter, Sheriff Layher, the Mountain Home Fire Chief and the Glenns Ferry Fire Chief in attendance.

A short recess was taken. Regular session resumed.

The need for a Human Resources Director position was discussed.

Motion by Wootan, second by Hofer, to adjourn.

HOFER -AYE

CORBUS -AYE

WOOTAN -AYE

Motion carried and so ordered.

/S/ ALBERT HOFER, Chairman

ATTEST: /S/ BARBARA STEELE, Clerk