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 Bud Corbus, Commissioners Wes Wootan and Al Hofer, Civil Attorney Buzz Grant, Clerk Barbara Steele, and Deputy Clerk Shelley Essl.

Motion by Corbus, second by Wootan, to go into Executive Session pursuant to I.C. 74-206(d) – 31-874 to discuss indigent applications. Roll call vote was taken.

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

Motion carried and so ordered.

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

K-02-16-06 Motion by Wootan, second by Hofer, to approve with a reimbursement order of $25.00 per month and 50% of federal and state tax refunds as payment to begin 10/15/16.

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

Motion carried and so ordered.

K-03-16-07 Motion by Wootan, second by Hofer, to approve with a reimbursement order of $200.00 per month and 50% of federal and state tax refunds as payment to begin 9/15/16 providing applicant is released for employment.

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

Motion carried and so ordered.

Alan Christy, Land Use and Building Department Director, appeared and reviewed a preliminary estimate for repairs that need to be done on the building at the Bennett Road Landfill. Mr. Christy will work with Attorney Grant and prepare a request for bid packet for the repairs.

Mr. Christy also discussed paving plans for the parking area at the building on American Legion Boulevard. Specifications for the area that would need to be paved, including a driveway and parking area were reviewed. Mr. Christy will calculate the square footage of the areas and get estimates for the paving work.

Bonnie Layton, Glenns Ferry Economic Development, appeared to discuss the grant funding for her position. She had a three year contract with the Department of Commerce for funding for her position.
and it is set to expire at the end of September. The Department of Commerce has changed the grant application for funding from three years to one year. She is currently working on the application to get her position funded for another year. In order to get the funding, the City of Glenns Ferry and the county commissioners need to contribute funds to her position as well. She has already spoken with the City of Glenns Ferry regarding their portion of the funding, and they agreed to continue with their contribution.

Motion by Corbus, second by Wootan, to add Bonnie Layton discussion to agenda to discuss a grant application to fund her position.

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

Motion carried and so ordered.

Chairman Corbus met with members of Glenns Ferry Extrication to discuss a working relationship with the county extrication department located in Mountain Home. He would like to see the two departments working more closely together for the safety of the residents of the county. Chairman Corbus also spoke with the Glenns Ferry Mayor regarding the revamping of the ambulance services in Glenns Ferry and that the county is ready to move forward with hiring an individual to oversee the ambulance services. Chairman Corbus stated that there is still a question of how the county will be billing for ambulance services and the extrication department. He feels that the billing should be done by someone in the courthouse. Commissioner Hofer suggested contracting with a billing service. Attorney Grant spoke with the attorney for St. Luke’s regarding billing for extrication services and Pine ambulance services and was told that St. Luke’s cannot bill for extrication services because they did not perform the service, but they can enter into a contract with county for those billing services. Discussion followed.

Jack Yarbrough called in via speaker phone to discuss daily operations with the board. Commissioner Wootan stated that there were some issues with operating hours at Bennett Road. Per the agreement signed by Mr. Yarbrough and the county, Bennett Road is to be opened six days per week (and closed on Sundays) and the hours of operation will be from 8:00 am to 5:00 pm. Mr. Yarbrough stated that regarding his recollection of the discussion of operating hours at Bennett Road, he remembers agreeing on the hours being 9:00 am to 5:00 pm., and he obviously must have missed the “8:00 am” in the contract when he signed it. Mr. Yarbrough also stated that he does not have to accommodate the requests from Snake River Rubbish and Republic Services to be allowed into Bennett Road at 7:30 am. Mr. Yarbrough would rather open Bennett Road at 9:00 am, but will rework the schedules of his employees to make sure it will be opened at 8:00 am. Commissioner Wootan discussed estimates for repairs to the building at Bennett Road, which came to approximately $31,000.00. Mr. Yarbrough asked if the county has insurance on the building and if so, there should be a claim filed to pay for the repairs. Commissioner Hofer stated that per the contract, any damages to the building will be paid for by the responsible party, not the county’s insurance. Mr. Yarbrough stated that as far as any new contracts are concerned, he will no longer be responsible for any damages to the building, and has made his feelings clear about that fact in prior discussions with the board. Chairman Corbus and Commissioner Hofer stated that they have no
recollection of any conversations pertaining to that fact or agreeing that Mr. Yarbrough would no longer have any responsibility for damages. Chairman Corbus discussed the expenses encountered by the county for having Republic Services haul trash to Ada County due to a fire at Simco Road and asked Mr. Yarbrough if he will be reimbursing the county for those expenses. Mr. Yarbrough feels he is not responsible to reimburse the county. Chairman Corbus asked him if he has received or will be receiving any insurance payments from the fire. Mr. Yarbrough stated that he will be receiving insurance payments for loss of income and damages to equipment but he is not obligated to pay that to the county. Mr. Yarbrough gave his insurance company the letter he received from the county requesting reimbursement for the expenses incurred and is hoping that the insurance company will cover the county’s expenses.

Sheriff Rick Layher, Chief Deputy Mike Barclay and Alan Christy appeared to review the proposed floor plan of the American Legion Boulevard property. Clerk Steele also discussed with Deputy Barclay the daily fees that the county can charge inmates at the jail to increase revenue for the jail budget.

Prosecuting Attorney Tina Schindele appeared to discuss revamping the ambulance services in Glenns Ferry. Prosecutor Schindele did some research regarding the county hiring an employee to run the ambulance services in Glenns Ferry. The county can proceed with the new position but Prosecutor Schindele stated that the county needs to be very clear on the expectations of the position, since the board had discussed the employee being used for ambulance services and to also have duties in other areas of the county, such as “maintenance” at the county fairgrounds. Chairman Corbus agreed and will meet with the Human Resources Manager to put together the job description for the position. Prosecutor Schindele was also asked to research whether ambulance district funds can be used to pay for the position. She found that taxing district funds can be used for the purchase or lease of real property or construction of buildings that can be used for the ambulance service, to acquire necessary equipment for the operation of and maintenance of the ambulance service and to pay necessary salaries for the ambulance service. If the board determines that the position is going to be part time providing ambulance services and part time doing other services for the county then they will only be able to use the taxing district funds to pay for the time the employee spends providing ambulance services. Any county duties assigned to the employee will have to be paid out of county funds. Discussion followed.

Motion by Corbus, second by Hofer, 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.

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

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

Motion carried and so ordered.

Regular session resumed.

Motion by Hofer, second by Wootan, to approve the expenses in the amount of $476,109.05.

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

Motion carried and so ordered.

Motion by Corbus, second by Hofer, to approve the Certificate of Residency applications for Ana V. Gomez and Kristin J. Hillman.

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 $4,206.34, payable to Elmore County.

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

Motion carried and so ordered.

Motion by Corbus, second by Wootan, to approve the Pest Abatement District Expenses in the amount of $7,283.94, payable to Elmore County-$3,316.33 and Adapco-$3,967.61

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

Motion carried and so ordered.

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

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

Motion carried and so ordered.

Motion by Corbus, second by Wootan, to approve and sign the agreement with Haz-Tech Drilling, Inc. for additional borehole drilling at the Bennett Road Landfill.

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

Motion carried and so ordered.
Deliberations were held regarding the appeal of CUP-2015-09 Jim Carrie dba Intermountain Development Inc. for the reconsideration hearing for an approved conditional use permit. Chairman Corbus stated that the board will be deliberating the findings based on the information in the record and testimony given at the public hearing and no further written or verbal testimony will be taken at this time.

The issues raised in the appeal were the requirement for two acre minimum lots size and the community water system. Based upon the information received after the prior decision which was part of the verbal or written record, the board must determine if it desires to change the prior findings or any of the prior conditions.

The board had a concern over a water right document that was made part of the record at the hearing held on April 1, 2016. The document stated that the right is for the use of “trust water” and is subject to review after five years after its initial approval to re-evaluate the availability of the “trust water” for the authorized use. The board would like further clarification on the information contained in the water right document. Commissioner Hofer suggested re-opening the hearing and get the information they need from the Department of Water Resources so they can make an educated decision on the matter. Discussion followed and the decision was made to re-open the hearing on May 13, 2016 at 2pm. The hearing matter will be limited to testimony regarding the water right document, the clarification of “trust water” and response to any off the record disclosures that may be made. No other written or verbal testimony will be taken regarding any other issues.

Motion by Corbus, second by Hofer, to go into Executive Session pursuant to I.C. 74-206(f) to discuss pending litigation. 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.

Attorney Grant reviewed the due diligence checklist and the waiver of conditions letter for the American Legion Boulevard property.

Motion by Wootan, second by Corbus, to approve and sign the Buyer’s Satisfaction of Waiver of Conditions to TMCO, Inc. for the property located at 2180 American Legion Boulevard.

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

Motion carried and so ordered.

Attorney Grant also reviewed the title insurance for the property.
Motion by Corbus, second by Wootan, to add an update from Clerk Steele regarding the Drug Court Program to the agenda.

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

Motion carried and so ordered.

Clerk Steele stated that in order for the county to have a drug court program, the county is required to have a behavioral health services company available for the participants to receive treatment. Ascent Behavioral Health was providing these services to Elmore County, but will no longer be providing services in Mountain Home. A company called Easter Seals has shown interest in providing the services, but has not made a solid commitment as of yet. Without the required behavioral health provider, the county will not be able to conduct the drug court program, so the program may be put on hold until the issue is resolved. Clerk Steele also discussed that the current drug court coordinator has resigned and the county has posted for the job opening. Clerk Steele met with Judge Epis and Steve Dye and decided to hold off on hiring a new coordinator until the issue of a behavioral health provider is resolved, as there is no sense in hiring a new coordinator if the program will be cancelled due to the lack of the behavioral health provider.

Motion by Wootan, second by Corbus, to adjourn.

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

Motion carried and so ordered.

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