

COMMISSIONERS MINUTES

JULY 22, 2016

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(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.

Motion by Corbus, second by Hofer, to authorize Attorney Scott Hess to proceed with sending a follow up letter to William Ghiorso in regards to the Idaho Waste Systems issue.

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

Motion by Corbus, second by Wootan, to authorize Attorney Scott Hess to send a letter to Idaho Waste Systems in response to a check received by the Clerk’s Office in a letter dated July 5, 2016.

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

Chairman Corbus left the meeting and will return after lunch.

Motion by Wootan, second by Hofer, to approve the minutes for May 20, 2016 and May 27, 2016.

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

Motion by Wootan, second by Hofer, to approve the Ambulance District Expenses in the amount of \$5,525.73, payable to Elmore County-\$4,539.84, Wells Fargo-\$120.00, North American Dust Control-\$358.80, RTI-\$140.02, Norco-\$26.48 and Sawtooth Emergency Vehicles Inc.-\$340.59

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

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

Motion by Wootan, second by Hofer, to approve the Pest Abatement District Expenses in the amount of \$4,247.47, payable to Express Employment Professionals-\$591.67 and Elmore County-\$3,655.80.

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

Motion by Hofer, second by Wootan, to approve the expenses in the amount of \$355,613.08.

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

Motion by Wootan, second by Hofer, to suspend the reading of Resolution No. 596-16 and refer to it in title only.

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

Motion by Wootan, second by Hofer, to approve Resolution No. 596-16 Annexation of Property into the Oasis Fire Protection District.

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

RESOLUTION NO. 596-16

AT A MEETING OF THE BOARD OF THE ELMORE COUNTY (the “County”) COMMISSIONERS (the “Board”), STATE OF IDAHO, ON THE 22nd DAY OF July 2016, THE FOLLOWING RESOLUTION AND ORDER OF ANNEXATION OF PROPERTY INTO THE OASIS FIRE PROTECTION DISTRICT WAS ADOPTED, TO WIT;

WHEREAS, annexation of territory into a fire protection district is governed by Idaho Code Title 31, Chapter 14 (“Annexation Statutes”); and

WHEREAS, three petitions (the “Initial Petitions”) pertaining to three parcels of real property (the “Initial Properties”), were submitted to the Oasis Fire Protection District (“District”) on or about April 19, 2016 for annexation into the District. The Initial Properties and the relationship to the District boundary are shown on **Exhibit A**, which exhibit is attached hereto and made a part hereof; and

WHEREAS, the Initial Properties are comprised of approximately 76 acres of land, contiguous to each other and adjacent to and continuous to the property which makes up the District; and

WHEREAS, the petitioners of the Initial Properties consented to a hearing within one hundred eighty (180) days of the date of the Petition; and

WHEREAS, the commissioners of the District on May 16, 2016, held a public hearing in connection with the proposed annexation of the Initial Properties, which public hearing was published in the Mountain Home News on April 27, 2016 (“Notice of Hearing”) a copy of which is attached hereto as **Exhibit B** and made a part hereof; and

WHEREAS, the commissioners of the District on May 16, 2016, approved the annexation of the Initial Properties into the District and issued an Order of Annexation, of Property to the Oasis Fire Protection District (the “Order of Annexation”), which Order of Annexation was executed on May 17, 2016 and delivered to the Board, on July 8, 2016, and a copy of which is attached hereto as **Exhibit C** and made a part hereof; and

WHEREAS, the Board has reviewed the Initial Petitions, the Notice of Hearing, and the Order of Annexation and found that one of the Initial Petitions, the petition submitted by Judith O’Dell for a 37 acre parcel (the “O’Dell Property”), did not contain the correct legal description for the property she requested to be annexed into the District. Although the commissioners of the District did approve the annexation of the O’Dell Property along with the other two Initial Properties, the legal description for the O’Dell Proper is incorrect and was erroneously approved by the commissioners of the District in the Order of Annexation.

WHEREAS, as a result of the forgoing deficiency, the Board does not address and hereby excludes the O’Dell Property from inclusion in the Oasis Fire District; and

WHEREAS, the Initial Properties, excluding the O’Dell Property, considered by the Board for inclusion of in the Oasis Fire District are the “Annexed Properties” and are legally described on **Exhibit D**, which exhibit is attached hereto and made a part hereof; and

WHEREAS, the Board desires to enter this Resolution and Order of Annexation of Property for the inclusion of the Annexed Properties into the Oasis Fire Protection District and to include the Annexed Properties on to the Elmore County tax rolls for the District.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that Elmore County Board of Commissioners does hereby resolve and order that the Annexed Properties be annexed into the District.

BE IT FURTHER RESOLVED, that the Elmore County Assessor be directed to add the Annexed Properties to the tax rolls of the District.

BE IT FURTHER RESOLVED, that the Elmore County Recorder be directed to record this Resolution and Order of Annexation of Property into the Oasis Fire Protection District pursuant to Idaho Code Section 31-1411.

This Resolution and Order of Annexation of Property in to the Oasis Fire Protection District of the Elmore County Board of Commissioners, was approved on and shall be effective on this 22nd day of July 2016.

ELMORE COUNTY COMMISSIONERS
/S/ FRANKLIN L. CORBUS, Chairman
/S/ WESLEY R. WOOTAN, Commissioner
/S/ ALBERT HOFER, Commissioner
ATTEST: /S/ BARBARA STEELE, Clerk

The remodeling plans for the new building on American Legion Boulevard were reviewed.

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

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

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

NM-07-16-01 Motion by Hofer, second by Wootan, to approve the July rent payment of \$206.00 with a reimbursement of \$15.00 per month.

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

K-04-16-09 Motion by Hofer, second by Wootan, to sign the Order of Dismissal as St. Luke’s Magic Valley Regional Medical Center withdrew the appeal.

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

Stephanie Kazyaka, representing the Elmore County Soil and Water Conservation District appeared. She is working on applying for state funding and needs a letter from the board to the Idaho Soil Commission showing the amount of funding they received from Elmore County during fiscal year 2016.

Motion by Hofer, second by Wootan, to approve and authorize Commissioner Wootan to sign the letter to the Idaho Soil Commission in regards to the Elmore County Soil and Water Conservation District.

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

The M2 Automation Security System proposal for the jail analog camera system update was reviewed.

Motion by Hofer, second by Wootan, to approve and sign the M2 Automation Security System proposal for the jail analog camera system.

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

Motion carried and so ordered.

Motion by Wootan, second by Hofer, to approve the Certificate of Residency applications for Patricia Ann Clark, Rhonda J. Ford and Serena J. Ford.

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

Motion carried and so ordered.

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

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

Motion carried and so ordered.

Regular session resumed.

Motion by Corbus, second by Hofer, to adjust the time to discuss indigent applications from 9:00 a.m. to 11:00 a.m. due to last minute schedule changes.

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

Motion carried and so ordered.

Motion by Corbus, second by Hofer, to go into Executive Session pursuant to I.C. 74-206(d) – 31-874 to hold a Hearing of Reconsideration on case K-02-16-01. Roll call vote was taken.

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

Motion carried and so ordered.

A Hearing of Reconsideration was held on case K-02-16-01. Present at the hearing were Chairman Bud Corbus, Commissioners Wes Wootan and Al Hofer, Civil Attorney Buzz Grant, Clerk Barbara Steele, Deputy Clerk Shelley Essl, Social Services Director Marianne Bate, Social Services Assistant Deb Marceau 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-02-16-01 Motion by Wootan, second by Hofer, to approve with a reimbursement order of \$50.00 per month and 50% of federal and state tax refunds as payment with a re-evaluation of the repayment in 180 days.

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

Motion carried and so ordered.

Zach Renicker, Boise Office Equipment appeared and reviewed the Xerox copier agreements.

Motion by Hofer, second by Corbus, to approve and sign the Xerox cost per copy agreement.

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

Motion carried and so ordered.

Motion by Hofer, second by Corbus, to approve and authorize Chairman Corbus to sign the Xerox Maintenance Agreement.

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

Motion carried and so ordered.

Chief Deputy Mike Barclay appeared to update the board on the upcoming country music festival.

Grant funding for a new ambulance for the Pine EMS was discussed.

Clerk Steele gave the board the county budget for their final review.

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