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, Commissioner Al Hofer, Civil Attorney Buzz Grant, Clerk Barbara Steele, and Deputy Clerk Shelley Essl. Commissioner Wes Wootan was present via speaker phone.

The public portion of the meeting was held. Jaime Pedroza appeared to discuss getting a temporary liquor license approved for the Rodeo Nightclub. He has a temporary state license and needs to get the county application signed by Marty Jones at Central District Health. Mr. Pedroza stopped in at Central District Health and Mr. Jones is in Boise for the day. Commissioner Hofer suggested he drive to Boise to meet with Mr. Jones and get the signature so they can approve his county license. Once Mr. Pedroza gets the proper paperwork he will bring it back to the recorder’s office.

Sheriff Rick Layher appeared to discuss a personnel issue.

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.

\begin{tabular}{l|c}
CORBUS & -AYE \\
WOOTAN & -AYE \\
HOFER & -AYE \\
\end{tabular}

Motion carried and so ordered.

Regular session resumed. No decision was made as result of the Executive Session.

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.

\begin{tabular}{l|c}
CORBUS & -AYE \\
WOOTAN & -AYE \\
HOFER & -AYE \\
\end{tabular}

Motion carried and so ordered.

Regular session resumed. No decision was made as result of the Executive Session.

Motion by Corbus, 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.

\begin{tabular}{l|c}
CORBUS & -AYE \\
WOOTAN & -AYE \\
HOFER & -AYE \\
\end{tabular}

Motion carried and so ordered.
Regular session resumed. The following decisions were made as a result of the Executive Session:

K-06-16-01 Motion by Hofer, second by Corbus, to approve nine additional physical therapy visits starting 10/17/16 and to be concluded on or before 11/11/16.

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

Motion carried and so ordered.

K-08-16-04 Motion by Hofer, second by Corbus, to approve and submit to CAT as Elmore County has already met the $11,000.00 for the applicant with a reimbursement order of $25.00 per month to begin on 1/5/17.

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

Motion carried and so ordered.

K-08-16-07 Motion by Hofer, second by Corbus, to suspend the application as the applicant is pending an SSI/SSD decision.

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

Motion carried and so ordered.

Motion by Hofer, second by Corbus, to approve and sign the Independent Contractor Agreement with Joe Inama to include an increase in the hourly wage to $15.00.

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

Motion carried and so ordered.

Motion by Hofer, second by Wootan, to approve and sign the Agreement with the Mountain Home Rural Fire Protection District for Fire Protection at the Bennett Road Landfill.

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

Motion carried and so ordered.

Motion by Corbus, second by Hofer, to approve the Ambulance District Expenses in the amount of $4,579.36, payable to Verizon Wireless-$206.27 and Elmore County-$4,373.09.

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

Motion carried and so ordered.
Motion by Corbus, second by Hofer, to approve the Pest Abatement District Expenses in the amount of $7,178.76, payable to Centurylink-$114.36, Verizon Wireless-$32.81, Elmore County-$4,879.57, Walmart Community-$474.27, Express Employment Professionals-$1,165.67 and Office Value-$512.08.

**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 Randy E. Scales and Sierra J. Tucker.

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

Motion carried and so ordered.

Motion by Corbus, second by Hofer, to adjourn for lunch and a jail inspection.

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

Motion carried and so ordered.

Regular session resumed.

The board conducted deliberations on Elmore Development, LLC regarding an application for a zoning ordinance amendment from agriculture to light industrial and a comprehensive plan amendment. A public hearing was held on October 7, 2016 regarding the application. Attorney Grant prepared finding of facts for the boards review and deliberation. While preparing the findings, Attorney Grant found that a development agreement is required for a re-zone application or a change in the map. Specifically, the ordinance reads that a development agreement application and approval shall be required for all zoning ordinance map amendments, final approval of the zoning map amendment shall be contingent upon an executed and recorded development agreement and applications for a zoning map amendment shall require a concurrent submission of the development agreement application. Attorney Grant stated that the Planning and Zoning Commission recommended approval of the application with an added condition to “recommend” all “future” development projects submit a development agreement. The Commission is recommending, not requiring, that future development projects submit development agreements, which is not consistent with the zoning ordinance in two ways. First, development agreements are required and not recommended and second, they are required as a condition of any zoning ordinance map amendment. Attorney Grant stated that according to the ordinance, the development agreement must be in place at the time of approval if the board so chooses to approve the application. Based on that, Attorney Grant prepared an initial finding that the matter be remanded back to the Planning and Zoning Commission and the Land Use and Building Department Director to correct the application and obtain the necessary development agreement application from the applicant. It would then need to back to a hearing with Planning and Zoning after they have followed all of the notice and hearing requirements. Once they make
their finding, then the matter would be sent back to this board for further review, a second hearing and subsequent decision.

Motion by Hofer, second by Corbus, to approve the Order for Continuance of Hearing and Remand of the Application Back to the Commission and the Director for Completion in the matter of Elmore Development, LLC, REZ-2016-01.

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

Motion carried and so ordered.

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 result of the Executive Session.

Jaime Pedroza reappeared regarding the temporary liquor license for the Rodeo Night Club. Mr. Pedroza gathered all of the proper paperwork and signatures that were required. The board reviewed the paperwork and approved a temporary 30 day liquor license.

Motion by Hofer, second by Corbus, to add the liquor license for Rodeo Night Club to the agenda.

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

Motion carried and so ordered.

Motion by Hofer, second by Corbus, to approve and sign the temporary 30 day liquor license for Rodeo Night Club.

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

Motion carried and so ordered.

Motion by Hofer, second by Wootan, to adjourn.

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

Motion carried and so ordered.

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