

**COMMISSIONERS MINUTES**

**AUGUST 11, 2017**

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 Essl.

Motion by Hofer, 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.

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

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

K-07-17-07 Motion by Corbus, second by Wootan, to suspend as the applicant is pending SSI/SSD.

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

K-07-17-09 Motion by Corbus, second by Wootan, to approve with a reimbursement order of \$25.00 per month and 50% of federal and state tax refunds as payment.

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

Motion by Hofer, second by Wootan, to go into Executive Session pursuant to I.C. 74-206(f) to discuss pending litigation. Roll call vote was taken.

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

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

Motion by Wootan, second by Hofer, to approve the expenses in the amount of \$73,968.09.

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

A public hearing was held for the review of the implementation of fees for the Pine Ambulance Service, Extrication Department and the Search and Rescue Department, Ordinance No. 2017-02 Emergency Response Cost Recovery, and the Agreement for Ambulance and Medical Transportation Billing Services with Cammack Medical Billing, Inc. No public was present at the hearing.

Motion by Hofer, second by Corbus, to approve Ordinance No. 2017-02 Emergency Response Cost Recovery.

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

**Motion carried and so ordered.**

**ORDINANCE NO. 2017-02**

**AN ORDINANCE OF ELMORE COUNTY ENTITLED “EMERGENCY RESPONSE COST RECOVERY ORDINANCE” TO PROVIDE A PROGRAM ESTABLISHING AND IMPLEMENTING CHARGES FOR EMERGENCY SERVICE RESPONSE AND RESCUE WHERE THE INCIDENT PROMPTING EMERGENCY RESPONSE IS THE RESULT OF NEGLIGENCE OR AN INTENTIONAL WRONGFUL ACT; SETTING FORTH THE PURPOSE, CREATING THE AUTHORITY TO ESTABLISH THE MITIGATION COSTS SCHEDULE AND RECOVERY; SETTING FORTH GENERAL PROVISIONS INCLUDING THE DEFINITION OF KEY TERMS; ESTABLISHING A BILLING SYSTEM AND PROCEDURE; ESTABLISHING A DISPUTE RESOLUTION AND HEARING PROCEDURE; PROVIDING FOR OTHER REMEDIES WITHOUT LIMITING LIABILITY OF THE RESPONSIBLE PARTY OR PARTIES UNDER OTHER LAW; PROVIDING FOR A SEVERABILITY CLAUSE; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the emergency services and rescue response activity to incidents continues to increase each year; Extrication and search and rescue services involve equipment and training, creating additional demands on all operational aspects of the Elmore County (“County”) “Extrication” and “Search and Rescue” Departments; and

**WHEREAS**, the Extrication and Search and Rescue Departments have investigated different methods to maintain a high level of quality of emergency service capability throughout times of constantly increasing service demands and fiscal exigency; and

**WHEREAS**, where maintaining effective response by the Extrication and Search and Rescue Departments decreases the costs of incidents to insurance carriers through timely and effective management of emergency situations, saving lives and reducing property damage; and

**WHEREAS**, the County desires to implement a fair and equitable procedure through which to recoup costs (mitigation cost) and shall establish a billing system in accordance with applicable laws, regulations and guidelines.

**NOW, THEREFORE, BE IT ORDAINED BY THE ELMORE COUNTY BOARD OF COMMISSIONERS:**

A new ordinance, be and the same is hereby enacted to read as follows:

**Section 1. AUTHORITY TO ESTABLISH A MITIGATION COSTS SCHEDULE AND RECOVERY.**

A. In order to protect the County from extraordinary expenses resulting from the utilization of County resources in response to certain vehicle extrication and search and rescue incidents, this ordinance, entitled the “Emergency Response Cost Recovery Ordinance,” authorizes the imposition of charges to recover costs incurred by the County in responding to such incidents.

B. The County shall initiate mitigation costs for the delivery of search and rescue and/or vehicle extrication services by the Extrication and Search and Rescue Departments of the County for personnel, supplies, and equipment to the scene of emergency incidents. The list of emergency service incidents and the rate of mitigation costs, which shall be based on estimated costs of the services, and which are usual, customary, and reasonable, shall be established following notice, hearing and adoption of the fees by a resolution of the Board of County Commissioners (“Board”), all pursuant to Idaho Code § 63-1311A, which may include any services, personnel, supplies, and equipment necessary to accomplish such mission.

C. The mitigation cost shall be charged or billed to the responsible party, representing an add-on cost of the claim for damages of the vehicles, property and/or injuries. The claim for mitigation costs may be charged or billed to the insurance coverage of the owner of a vehicle, owner of property, or other responsible parties where an authorized agent of the County, County, or State, or a court of competent jurisdiction determines the owner, owners, and/or responsible party or parties is/are at fault, allocating all or some of such costs jointly and severally. In some circumstances, a responsible party may be charged or billed directly.

D. The Extrication and Search and Rescue Departments of the County may promulgate rules or regulations and from time to time may amend, revoke, or add to rules and regulations, not inconsistent with this Section, and as approved by the Board, as may be necessary or expedient in respect to billing for these mitigation costs or the collection thereof.

**Section 2. DEFINITIONS.**

Unless the context specifically indicate otherwise, the meaning of the terms used in this article shall be as follows:

**Mitigation costs** mean those costs for services incurred by the County in connection with a response to a search and rescue or extrication incident, including, but not limited to, the actual labor and material costs of the County (including, without limitation, employee wages, fringe benefits, administrative overhead, costs of equipment, costs of equipment operation, costs of materials, costs of transportation, costs of material disposal and costs of contracted labor) whether or not the services are provided by the County or by a third party on behalf of the County; service charges and interest; attorneys' fees, litigation costs, and any costs, charges, fines, or penalties to the County imposed by any court or state or federal governmental entities.

**Search and rescue or extrication incident** means the response to (i) the search and recovery of a missing, lost, injured or stranded per person, (ii) rescue emergency or (iii) vehicle extrication or vehicle rollover, pursuant to a request from the County Sheriff's Office Dispatch.

**Rescue emergency** means a search and rescue or extrication incident resulting from a person or persons knowingly entering an area that has been closed to the public by competent authority for any reason, where such closure is posted by sign, barricade, or other device, and an emergency response such as a search for or rescue of such person results from the entry.

**Responsible** means to cause, either through negligence, recklessness, or intention act, a public safety, extrication or search and rescue emergency incident.

**Responsible party** means any individual, firm, corporation, association, partnership, commercial entity, consortium, joint venture, government entity or any other legal entity responsible for a search and rescue or extrication incident or any owner, tenant, occupant or party in control of real and persona property from which, onto which, or related to which there is a search and rescue or extrication incident and, unless not permitted by law, includes their heirs, estates, successors and assigns.

### **Section 3. BILLING AND COLLECTION OF MITIGATION COSTS, PROCEDURE.**

A. The County may recover all mitigation costs in connection with a search and rescue or extrication incident from any or all responsible parties jointly or severally. The County Manager of Search and Rescue or the County Manager of Extrication, as applicable, or his or her designee, shall, consistent with the fees schedules adopted by the Board by resolution, determine the total mitigation costs and shall, in consultation with other County personnel involved in responding to a search and rescue or extrication incident determine whether to assess any, all or part of such costs against any of the responsible parties.

B. In making such determination, the following non-exclusive list of factors shall be considered, although no single factor or absence thereof will be determinative of whether mitigation costs are assessable:

- (1) the total mitigation costs;

(2) the risk the search and rescue or extrication incident imposed on the County, its residents and their property;

(3) whether there was any injury or damage to person or property; and

(4) the extent the search and rescue or extrication incident required an unusual or extraordinary use of County personnel and equipment.

C. After consideration of the factors in subsection B immediately above, the County Manager of Search and Rescue or the County Manager of Extrication, as applicable, or his or her designee may allocate mitigation costs among and between any responsible parties, including allocating all or some of such costs jointly and severally against more than one responsible party regardless of whether a responsible party has any other legal liability.

D. If the County Manager of Search and Rescue or the County Manager of Extrication, as applicable, or his or her designee determines not to assess all or a portion of mitigation costs against a responsible party, such determination shall not in any way limit, reduce, or extinguish the liability of the responsible party to any other parties.

E. After determining to assess mitigation costs against a responsible party, the County Manager of Search and Rescue or the County Manager of Extrication, as applicable, or his or her designee, shall mail an itemized invoice to the responsible party at its last known address. Such invoice shall be due and payable within thirty (30) days of the date of mailing and, as permitted by Idaho Code § 28-22-104(1) or other applicable section, any amounts unpaid after such date shall bear a late payment fee equal to one percent (1%) per month or fraction thereof that the amount due and any previously imposed late payment fee remains unpaid. If a responsible party shall appeal the claim of mitigation costs by requesting a hearing, such costs, if upheld, in whole or in part, shall be due and payable thirty (30) days from the date of determination of the appeal and any late payment fees shall apply thereafter.

#### **Section 4. HEARING PROCEDURE.**

A. Any responsible party who receives an invoice for mitigation costs shall have an opportunity to meet with the County Manager of Search and Rescue or the County Manager of Extrication, as applicable to request a modification of mitigation costs. The responsible party shall request in writing such meeting within ten (10) calendar days of the date of mailing of the invoice assessing the mitigation costs. The failure to request such meeting within such time period shall extinguish the responsible party's appeal rights with the County. If after meeting with the County Manager of Search and Rescue or the County Manager of Extrication, as applicable, the responsible party is still not satisfied, he or she may request a hearing before the Board. Any responsible party aggrieved by the determination of being a responsible party and/or the assessment of mitigation costs who desire a hearing before a the Board must first meet

with the County Manager of Search and Rescue or the County Manager of Extrication, as applicable, or his or her designee as provided above before requesting a hearing on the same.

B. Any responsible party aggrieved by the determination of being a responsible party and/or the assessment of mitigation costs who desires a hearing with the Board shall submit the request in writing to the County Clerk within fifteen (15) calendar days of the date of the meeting with the County Manager of Search and Rescue or the County Manager of Extrication, as applicable. Upon receipt of the written request for hearing, the County Clerk shall present the itemized invoice of mitigation costs to the Board along with the request for a hearing for the Board's consideration. The failure to request as appeal with the Board within such time period shall extinguish the responsible party's appeal rights with the County. The Board shall fix a time, date, and place for hearing the determination of the responsible party and/or the assessment of mitigation costs and/or any protests or objections thereto. Appointment of and proceedings before the Board shall be made through the County Clerk's Office. A request for hearing shall not prevent the County from pursuing the claim by means of other lawful process including small claims or civil litigation.

**Section 5. OTHER REMEDIES.**

In addition to the remedy set forth above, the County shall be entitled to pursue any other remedy or may institute any appropriate action or proceeding in a court of competent jurisdiction as permitted by law to collect mitigation costs from a responsible party.

**Section 6. NO LIMITATION OF LIABILITY.**

The recovery of mitigation costs pursuant hereto does not limit the liability of a responsible party under applicable local, state, or federal law.

**Section 7. SEVERABILITY.**

Should any provision or part of this article be declared by a court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of any other provision or part which shall remain in full force and effect.

**Section 8. REPEAL OF CONFLICTING ORDINANCES.** Any ordinance of Elmore County, Idaho in conflict with the terms of this Ordinance is hereby repealed to the extent of such conflict.

**Section 9. EFFECTIVE DATE.** This Ordinance shall take effect and be in force after its passage, approval and publication as required by law. In lieu of publication of the entire Ordinance, a summary thereof in compliance with Idaho Code § 31-715A may be published.

Dated this 11<sup>th</sup> day of August, 2017.

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

Motion by Wootan, second by Hofer, to suspend the reading of Resolution No. 632-17 and refer to it in title only.

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

Motion by Wootan, second by Hofer, to approve Resolution No. 632-17 Establishment of Search and Rescue Fee Schedule.

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

**RESOLUTION NO. 632- 17**

**AT A MEETING OF THE BOARD OF ELMORE COUNTY COMMISSIONERS, STATE OF IDAHO, ON THE 11th DAY OF AUGUST 2017, THE FOLLOWING RESOLUTION WAS ADOPTED, WHICH RESOLUTION ESTABLISHES SEARCH AND RESCUE FEES, 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 provides search and rescue services within the county; and

**WHEREAS**, County Ordinance No. 2017-02 permits the County to collect fees for search and rescue services; and

**WHEREAS**, Elmore County published a notice of public hearing along with the proposed fees to be charged by the County for search and rescue services, on July 26, 2017 and August 2, 2017 in the Mountain Home News, pursuant to Idaho code § 63-1311A; and

**WHEREAS**, a public hearing was held at 10:00 AM on August 11, 2017, requesting public input on the issue of charging fees for search and rescue services; and

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

**WHEREAS**, the Board determined that it needs to establish fees for search and rescue services to more accurately reflect the County's costs and such fee charge 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 search and rescue services as set forth on the chart attached hereto as Exhibit A and incorporated fully herein.

**IT IS FURTHER ORDERED** That the fee changes will be effective August 23, 2017.

DATED this 11th day of August, 2017.

**EXHIBIT A  
ELMORE COUNTY SEARCH AND RESCUE  
FEE SCHEDULE**

1.00 Swift Water Rescue

1.01	Truck 2621 with Command Trailer	\$200.00 per mission day
1.02	Truck 2622 with Raft and Trailer	\$250.00 per mission day

2.00 Technical Rescue (Rope Rescues)

2.01	Truck 2621 with Command Trailer	\$200.00 per mission day
2.02	Truck 2622 with ATV and Trailer	\$250.00 per mission day
2.03	Truck 2620 with UTV and Trailer	\$150.0 per mission day

3.00 Snowmobile/Cold Weather Rescue

3.01	Truck 2621 with Command Trailer	\$200.00 per mission day
3.02	Truck 2622 with Snowmobiles and Trailer	\$250.00 per mission day
3.03	Truck 2620 with UTV and Trailer	\$150.00 per mission day

Fee includes all standard personal and crew safety equipment, command and control equipment, as well as rescue and recovery equipment.



Any specialized rescue or extended period operations will be considered on a per call basis and will be billed accordingly.

- Truck 2620 Crew support and transport.
Truck 2621 Crew support, transport and command.
Truck 2622 Rope Truck
Truck 2623 Logistical support vehicle (\$75.00 per mission day)

The above rates are the base cost and may increase on a per mission basis in respect to necessity, environment, and mission length and will be billed accordingly.

ELMORE COUNTY COMMISSIONERS

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

Motion by Hofer, second by Wootan, to suspend the reading of Resolution No. 633-17 and refer to it in title only.

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

Motion by Hofer, second by Wootan, to approve Resolution No. 633-17 Establishment of Pine Ambulance Service Fee Schedule.

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

RESOLUTION NO. 633-17

AT A MEETING OF THE BOARD OF ELMORE COUNTY COMMISSIONERS, STATE OF IDAHO, ON THE 11th DAY OF AUGUST 2017, THE FOLLOWING RESOLUTION WAS ADOPTED, WHICH RESOLUTION ESTABLISHES AMBULANCE SERVICE FEES FOR THE PINE AMBULANCE, 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**, County commissioners in each county in Idaho are authorized by Idaho Code § 31-3901 to establish an ambulance service to serve the areas of the county that do not have an ambulance service reasonably available; and

**WHEREAS**, The County has established and maintained an ambulance service to serve the citizens of, and others who are in, Elmore County; and

**WHEREAS**, The County has created an ambulance service district known as the Elmore County Ambulance District pursuant to Resolution No. 346-04 adopted by the County on the 22nd day of December, 2004, as allowed by Idaho Code § 31-3908. The Ambulance District is taxing district of the County and operates as a part of the County and not as a separate legal entity; and

**WHEREAS**, the Board may, pursuant to Idaho Code § 31-870, impose and collect fees for service the County provides; and

**WHEREAS**, Idaho Code §31-3904 permits the County to collect fees for vehicle Ambulance Services and the County desires to establish fees for the Pine ambulance operation; and

**WHEREAS**, Elmore County published a notice of public hearing along with the proposed fees to be charged by the County for ambulance services, on July 26, 2017 and August 2, 2017 in the Mountain Home News, pursuant to Idaho code § 63-1311A; and

**WHEREAS**, a public hearing was held at 10:00 AM on August 11, 2017, requesting public input on the issue of charging fees for ambulance services; and

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

**WHEREAS**, the Board determined that it needs to establish fees for ambulance services to more accurately reflect the County's costs and such fee charge 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 ambulance services for the Pine ambulance operation as set forth on the chart hereto as Exhibit A which is on file with the resolution in the County Clerk's Office incorporated fully herein.

**IT IS FURTHER ORDERED** That the fee changes will be effective August 23, 2017.

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

**/S/ WESLEY R. WOOTAN, Commissioner**  
**ATTEST: /S/ BARBARA STEELE, Clerk**

Motion by Hofer, second by Wootan, to suspend the reading of Resolution No. 634-17 and refer to it in title only.

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

Motion by Hofer, second by Wootan, to approve Resolution No. 634-17 Establishment of Extrication Department Fee Schedule.

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

**RESOLUTION NO. 634-17**

**AT A MEETING OF THE BOARD OF ELMORE COUNTY COMMISSIONERS, STATE OF IDAHO, ON THE 11th DAY OF AUGUST 2017, THE FOLLOWING RESOLUTION WAS ADOPTED, WHICH RESOLUTION ESTABLISHES EXTRICATION FEES, 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 provides vehicle extrication services within the county; and

**WHEREAS**, County Ordinance No. 2017-02 permits the County to collect fees for vehicle extrications; and

**WHEREAS**, Elmore County published a notice of public hearing along with the proposed fees to be charged by the County for vehicle extrications, on July 26, 2017 and August 2, 2017 in the Mountain Home News, pursuant to Idaho code § 63-1311A; and

**WHEREAS**, a public hearing was held on August 11, 2017 at 10:00 AM, requesting public input on the issue of charging fees for vehicle extrications; and

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

**WHEREAS**, the Board determined that it needs to establish fees for vehicle extrications to more accurately reflect the County's costs and such fee charge 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 vehicle extrications as set forth on the chart attached hereto as Exhibit A and incorporated fully herein.

**IT IS FURTHER ORDERED** That the fee changes will be effective August 23, 2017.

**EXHIBIT A**  
**Vehicle Extrication Fees**

1.00 Automobiles/Pickups	
1.01 Truck 2690 with 4 Crew	\$376.50 per hour (Minimum 1 hour)
1.02 Truck 2691 with 2 Crew	\$268.50 per hour (Minimum 1 hour)
1.02 Command Staff	\$107.50 per hour (Minimum 1 hour)

Fee includes all standard extrication practices: Door removal, stabilization, top removal, air bag lifts, etc.

Any specialized extrication/rescue will be considered on a per call basis and will be billed accordingly.

**2.00 Ton Trucks and Large Vehicles, Farm Equipment, Construction Equipment**

2.01 Truck 2690 with 4 Crew	\$537.50 per hour (Minimum 1 hour)
2.02 Truck 2691 with 2 Crew	\$430.00 per hour (Minimum 1 hour)
2.03 Command Staff	\$107.50 per hour (Minimum 1 hour)

Fee includes all standard extrication practices: Door removal, stabilization, top removal, air bag lifts, etc.

Extra work and equipment will be required to work on this size or type of vehicle. These situations are always different and will be reviewed on a per call basis.

The above rates for all vehicles are the base to begin with and charges may increase on a per call basis and will be billed accordingly.

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

**/S/ WESLEY R. WOOTAN, Commissioner**  
**ATTEST: /S/ BARBARA STEELE, Clerk**

Motion by Hofer, second by Corbus, to approve and sign the Agreement for Ambulance and Medical Transportation Billing Services with Cammack Medical Billing, Inc.

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

The public hearing was closed.

Attorney Michael Crawford appeared to discuss an issue with his billing for public defender conflict cases. His billing does not come to the Clerk’s office on a monthly basis and it has become an issue with closing out the end of fiscal year budgets. The board stated that it is unacceptable for him to send in billing for several months at a time and he will need to start providing monthly billing immediately. Attorney Crawford stated that he has been very busy and that is why he gets behind on his billing, but he agreed that he will start providing the monthly billing that the board is requiring.

Paula Riggs and Courtney Lewis, City of Mountain Home Economic Development appeared and reviewed an addendum to the Buxton program, which will provide client access to Local Store Marketing (LSMx) software. The software will execute marketing campaigns to potential customers from mobile devices so local businesses can target potential customers.

Motion by Wootan, second by Corbus, to approve and sign the Addendum to the Buxton Company Agreement.

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

Jack Krieger and Scott Smith, Glens Ferry Historical Museum, appeared to request their annual funding in the amount of \$2,000.00. They have used the past year’s funding to install new windows at the museum and they have a long term goal of installing a new heating system so the museum can stay open during colder months, so this funding will go toward that.

Motion by Wootan, second by Hofer, to approve the minutes for June 2, 2017.

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

Motion by Hofer, second by Wootan, to approve the Certificate of Residency applications for Jordan M. Lenz, Aline M. Bates, Michleen S. Luster and Jason M. Turner.

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

**Motion carried and so ordered.**

Motion by Hofer, second by Corbus, to approve the Pest Abatement District Expenses in the amount of \$15.84, payable to BOE.

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

**Motion carried and so ordered.**

Motion by Hofer, second by Wootan, to approve and sign the Glenss Ferry Security Services and Joint Powers Agreement.

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

**Motion carried and so ordered.**

Motion by Hofer, second by Wootan, to approve and sign the Independent Contractor Agreement for Snow Removal with Allen’s Water Tender Service, Inc.

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

**Motion carried and so ordered.**

Motion by Hofer, second by Wootan, to approve and sign the 2017 Beer, Wine & Liquor List.

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

**Motion carried and so ordered.**

A short recess was taken. Regular session resumed.

Donna Simono appeared to discuss an indigent lien release. Her ex-husband has an indigent case with the county and she was listed on the lien. She is requesting that her name be removed from the lien as they got divorce in March 2008 and he has since passed away. The divorce decree states that he was solely responsible for the debt for the indigent case. The board agreed to remove her name from the lien. Attorney Grant will prepare a partial lien release to remove her name.

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

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

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

**Motion carried and so ordered.**

Regular session resumed.

Geoff Schroeder appeared. A few weeks ago, residents of a local subdivision came in and asked the commissioners if the Sheriff’s Office could patrol their private roads in the subdivision as they are having trouble with speeders in the subdivision. Mr. Schroeder did some research and found that provisions of the Idaho Motor Vehicle Code state that no local authorities shall enact or enforce any ordinance covered in the vehicle code unless expressly authorized. If the subdivision homeowners would like the county to expend public funds to enforce public traffic laws on private roads in their subdivisions, then the homeowners could dedicate the roadways to a public entity with the authority to regulate these roadways. An alternative is for the homeowners to adopt private rules of conduct for persons operating vehicles upon their private roads, which still allows county enforcement of reckless driving and DUI statutes, as long as the basis for the stop is independent of a vehicle code violation. Discussion followed.

Mr. Schroeder also discussed House Bill 63-602NN which deals with minimum investment amounts necessary to qualify for a plant investment property tax exemption.

Motion by Hofer, second by Wootan, to go into Executive Session pursuant to I.C. 74-206(a) to discuss hiring. Roll call vote was taken.

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

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

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

**Motion carried and so ordered.**

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

Motion by Hofer, second by Corbus, to adjourn.

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

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

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

**Motion carried and so ordered.**

**/S/ ALBERT HOFER, Chairman**

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