

COMMISSIONERS MINUTES

FEBRUARY 17, 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 4th East, Mountain Home, Idaho.

Present at the meeting were Chairman Al Hofer, Commissioners Bud Corbus and Wes Wootan, Civil Attorney Buzz Grant, and Clerk Barbara Steele.

Motion by Hofer, second by Corbus, 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-01-17-01 Motion by Wootan, second by Hofer, to deny as the medical records and billing from Intermountain hospital were not received timely, applicant failed to cooperate and applicant is not indigent per Idaho code and can self-pay timely filed bills over 5 years.

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

K-01-17-05 Motion by Wootan, second by Hofer, to deny as applicant is not indigent and can self-pay bills over 5 years. Applicant failed to cooperate.

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

Motion by Wootan, second Corbus, to approve the minutes for December 23, 2016 and January 5, 2017.

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

Sheriff Hollinshead appeared and Sheriff Department issues were discussed. The ambulance that will be purchased with grant funding for Pine EMS was discussed. The new ambulance will be regular gas, not diesel. The county has two tanks in Pine with regular and diesel. The new ambulance will use the county’s regular gas tank and the Ambulance District will reimburse the County for gallons used.

Alan Roberts and Brian Chevalier appeared and the proposal for a new ambulance for Pine EMS was discussed. It will be published for two weeks in the Mountain Home News starting February 22, 2017.

Brian Chevalier, representing the Pine ambulance, appeared and discussion followed on the generator for the building. The generator is being serviced and once it is done it will be connected to the building.

Deb Ireland, Bennett Road Transfer Station Supervisor, appeared and gave a written report. Discussion followed on inmate labor and she reported that the Jail Commander has not responded to her phone calls. Purchasing a gas monitor was discussed. Elmore County residents using the landfill was discussed. Publishing a notice in the paper stating that the County has taken over the transfer station/landfill at Bennett Road was discussed and Ms. Ireland will work on that.

Carol Killian, Disaster Service Coordinator, suggested continuing the county disaster regarding the flooding. The Commissioners agreed and two resolutions have been prepared to continue the disaster in Elmore County. Discussion followed on the Highway Districts and assessments they have made and are making. Sandbags will be taken up to Pine for any flooding that could occur there.

Steve Dye, Probation Director, and Jason Stone, from Idaho Department of Corrections (check on his official title), appeared. Mr. Dye reported the rule of 80 regarding PERSI for probation officers did not make it through legislation. Mr. Dye gave the Commissioners a written report on annual statistics in Juvenile Probation. Mr. Dye reviewed Elmore County's success rate. Mr. Stone reviewed statewide data. Chairman Hofer stated Mr. Dye was a great asset to the County and State.

Bill Richey, Military Affairs Liaison, appeared and a lengthy discussion followed on water for Mountain Home Air Force Base and how that could affect Elmore County. There will be meetings in the future and Commissioner Corbus will attend them with Mr. Richey.

Pat Momont, University of Idaho Extension, appeared and told the Commissioners that the new Extension Agent will be starting shortly. The 4-H division of the County is doing well.

Dave Humphreys, Noxious Weed Department, appeared and reported that there is proposed Elmore County Weed Control Advisory Board. The members would be: Betty Ann Nettleton, Ann Wilson, Steve Damele, Randy Davison, and Buddy Allen. Mr. Humphreys has contacted those individual and they have agreed to be on the Board. Chairman Hofer stated he would like someone on the Board that is involved with the Sage Grouse. Also Charlie Lions was also suggested. Civil Attorney Grant asked about statutory requirements for the advisory board. Those

requirements will be reviewed. Mr. Humphreys gave an update on a conference he attended recently. ICRMP also made a presentation at the conference.

Rena Kerfoot, Fair Director, appeared and gave the Commissioners additional information on the RV hookups and power at the fairgrounds. She also presented the new advertising for the fair this year. General discussion followed on the fair grounds.

Alan Christy, Land Use and Building Director, appeared and gave the Commissioners the January/February 2017 office report. Mr. Christy reviewed the flood information that is available on the County’s website. Our Building Inspector will be going to Las Vegas to a conference for further education in Nevada.

Dan Collins, County Website Contractor, appeared and discussion followed on social media regarding county business. Facebook and government agencies were discussed in length. Mr. Collins will start a county Facebook page.

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

HOFER -AYE

WOOTAN..... -AYE

CORBUS..... -AYE

Motion carried and so ordered.

Regular session resumed.

Wade Baumgardner, Veterans Service Officer, appeared for the Department Head portion of the meeting. Mr. Baumgardner reported on VA hospital requirements, memorials in different areas in the State, and helping terminally ill veterans and their spouses. 57 veterans have been assisted since the last meeting. The 50th Commemoration Ceremony of the Vietnam War was reviewed. March 7th will be the first ceremony and the Commissioners and Clerk were formally invited.

Amber Sloan, Treasurer, appeared and reviewed a tax deed that has a special lien attached and asked the Commissioners to exclude that parcel from tax deed this year. The Commissioners approved that request.

Jolene Hobdey, representing the Oasis Fire District, appeared to discuss a request for annexation of property into the taxing district. Civil Attorney Grant explained that 5 parcels will be put on the tax roles for 2017 per the State Tax Commission. The 6th parcel owned by Judith O’Dell of concern needs a correct legal description.

Motion by Wootan, second by Hofer, to suspend the reading of Resolution No. 615-17 and Resolution No. 616-17 and refer to them in title only.

HOFER -AYE

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

Motion by Wootan, second by Hofer, to approve Resolution No. 615-17 First Extension Declaration of Local Disaster Emergency.

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

RESOLUTION NO. 615-17

**FIRST EXTENSION TO ELMORE COUNTY
DECLARATION OF LOCAL DISASTER EMERGENCY, DECLARED UNDER
ELMORE COUNTY RESOLUTION NO. 614-17**

AT A MEETING OF THE BOARD OF ELMORE COUNTY (the “County”) COMMISSIONERS (the “Board”), STATE OF IDAHO, ON THE 17TH DAY OF FEBRUARY 2017, 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 February 10, 2017, passed Resolution No. 614-17 (“Initial Declaration”) declaring a state of local disaster emergency due to melting snow and rain storms which have currently and may in the future may create flooding, mudslides and/or avalanches and a large amount of infrastructure damage in the following areas: Oasis and Tipanuk areas, Alkali, Rosevear, Hot Creek, Sailor Creek, Slick Ranch, Sugar Bowl, Murphy Springs and Black Mesa areas, the Pine Featherville Road area, Blacks Creek and South Fork of the Boise River areas, Prairie, Pine to Featherville area, Beaman Road and the Mountain Home area, the Atlanta area and other areas of the County (“flooding, mud slides and avalanches”); 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 ran from February 10, 2017 through February 17, 2017; and

WHEREAS, the Board has determined that the flooding, mud slides and avalanches located in the County, are a continuing local disaster emergency; and

WHEREAS, the Board desires to extend the declaration of local disaster emergency from February 18, 2017 through February 24, 2017 (“Extension Period”); 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 through the expiration of the Extension Period, unless it is extended or terminated by the Board.

Approved as a Resolution of the Elmore County Board of Commissioners effective on this 17th day of February 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 approve Resolution No. 616-17 Second Extension Declaration of Local Disaster Emergency.

HOFER -AYE

WOOTAN..... -AYE

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

RESOLUTION NO. 616-17

**SECOND EXTENSION TO ELMORE COUNTY
DECLARATION OF LOCAL DISASTER EMERGENCY, DECLARED UNDER
ELMORE COUNTY RESOLUTION NO. 614-17**

AT A MEETING OF THE BOARD OF ELMORE COUNTY (the “County”) COMMISSIONERS (the “Board”), STATE OF IDAHO, ON THE 17TH DAY OF FEBRUARY 2017, 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 February 10, 2017, passed Resolution No. 614-17 (“Initial Declaration”) declaring a state of local disaster emergency due to melting snow and rain storms which have currently and may in the future may create flooding, mudslides and/or avalanches and a large amount of infrastructure damage in the following areas: Oasis and Tipanuk areas, Alkali, Rosevear, Hot Creek, Sailor Creek, Slick Ranch, Sugar Bowl, Murphy Springs and Black Mesa areas, the Pine Featherville Road area, Blacks Creek and South Fork of the Boise River areas, Prairie, Pine to Featherville area, Beaman Road and the Mountain Home area, the Atlanta area and other areas of the County (“flooding, mud slides and avalanches”); 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 ran from February 10, 2017 through February 17, 2017; and

WHEREAS, the Board has determined that the flooding, mud slides and avalanches located in the County, are a continuing local disaster emergency; and

WHEREAS, the Board on February 17, 2017, passed Resolution No. 615-17 (“First Extension”) extending the declaration of local disaster from February 18, 2017 through February 24, 2017; and

WHEREAS, the Board desires to extend the declaration of local disaster emergency from February 25, 2017 through March 3, 2017 (“Extension Period”); 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 through the expiration of the Extension Period, unless it is extended or terminated by the Board.

Approved as a Resolution of the Elmore County Board of Commissioners effective on this 17th day of February 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 approve the Certificates of Residency for Madison E. Palomana, Lucia Rubi, Britin A. Smith, and Carmen Vargas.

HOFER -AYE

WOOTAN..... -AYE

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

Motion by Hofer, second by Wootan, to approve the Ambulance District expenses in the amount of \$478.06, payable to Intermountain Communications \$64.00, Norco \$65.81, and Valley Co-ops \$348.25.

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

Motion by Hofer, second by Wootan, to approve the Pest Abatement District expenses in the amount of \$1,649.21, payable to IMVCA \$150.00, Commercial Tire \$838.11, G&R Ag Products, Inc., Xerox Financial Services \$114.00, and BOE \$547.10.

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

Water rights were discussed. Civil Attorney Grant explained how and when a water right should be filed by Elmore County. A development agreement with Cat Creek Energy will be developed and our filing of a water right at this time is not connected to that issue. The water right for Mountain Home Air Force Base was discussed. A proactive approach to the Air Force Base’s water right was discussed by possibly increasing the pipe size, etc., if the City or County were to acquire any water rights in that area in the future. Lining canals and other alternatives to help the recharge of the aquifer were discussed.

The tickets that were found at the Bennett Road Transfer Station were reviewed and discussed. Snake River Rubbish and Republic Services tickets were discussed by the Commissioners. Also the tickets for residents and companies that hauled garbage to Bennett Road Landfill. The Commissioners instructed Clerk Steele to send copies of the tickets and the reconciliation of those tickets to Snake River Rubbish, Republic Services and Idaho Waste Systems for their review. At a later date those entities will be invited to a Commissioners meeting for discussion.

Scott Campbell, Elmore County Water Attorney, phoned in and was put on speaker phone. Attorney Campbell reviewed five issues. 1. Potential filing of an application for water permit for diversion of water from the excess flows delivered through the Mountain Home Irrigation District Facilities and used for aquifer recharge in Elmore County. 2. Potential filing of an application for water permit for diversion of water from the Boise River for aquifer recharge and supplemental irrigation use in Elmore County, utilizing the infrastructure to be developed by the Cat Creek Energy Project. 3. Potential filing of an application for water permit for diversion of water from the Snake River to be used for aquifer recharge and supplemental irrigation use in Elmore County, utilizing the Mountain Home Air Force Base Water Project as a way of building additional

diversion facilities to benefit Elmore County. 4. Potential filing of an application for water permit for diversion of water from the Snake River to be used to aquifer recharge and supplemental irrigation use in Elmore County as an independent Elmore County project. 5. Potential for joint application for any of these projects with the City of Mountain Home. All of those issues were discussed and the commissioners asked Attorney Campbell to move forward with filing the applications for the water permits and to investigate more fully the potential diversion of water from the Snake River through the Mountain Home Air Force Base project.

Motion by Hofer, second by Corbus, to go into Executive Session pursuant to I.C. 74-206(d), exempt records. Roll call vote was taken.

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

Regular session resumed. No action was taken 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