





Motion by Wootan, second by Hofer, to approve the minutes for July 21, 2017, August 4, 2017, August 11, 2017, August 18, 2017 and August 25, 2017.

**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 \$8,291.01, payable to Verizon Wireless-\$52.97, Centurylink-\$107.76, Elmore Count-\$5,982.00, Buck’s Lock & Key-\$75.00, Carr’s Home Lumber-\$47.48, DDS Signs & Graphics-\$49.01, Mountain Home Auto Parts-\$19.96, Express Services, Inc-\$1,406.55, Mountain Home Auto Ranch-\$48.05 and Walmart Community-\$502.23.

**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 \$5,924.78, payable to Verizon Wireless-\$295.28, Elmore County-\$4,652.92 and Bastida Auto Repair & Salvage-\$976.58.

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

**Motion carried and so ordered.**

Motion by Wootan, second by Hofer, to approve the expenses in the amount of \$475,724.74.

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

**Motion carried and so ordered.**

Motion by Wootan, second by Hofer, to approve the payroll for September 2017 in the amount of \$521,868.58.

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

**Motion carried and so ordered.**

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

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

**Motion carried and so ordered.**

Motion by Hofer, second by Corbus, to approve the polling places for the November 7, 2017 Election.

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

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

Motion by Hofer, second by Corbus, to approve and sign the Smart 911 Services Agreement Addendum.

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

Motion by Hofer, second by Corbus, to approve and sign the Computer Arts Software and Support Agreement for the Sheriff’s Department.

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

Motion by Hofer, second by Wootan, to approve and authorize the Chairman to sign the County Extension Office Budget Agreement.

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

Motion by Hofer, second by Corbus, to approve and sign the Professional Services Agreement for Probation Services with Steven Dye.

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

Motion by Hofer, second by Wootan, to approve and sign the Juvenile Detention Housing Agreement with Twin Falls County.

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

Motion by Hofer, second by Corbus, to approve and sign the Ada County Pathology Agreement.

**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(b) to discuss a personnel issue. 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 for lunch.

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

**Motion carried and so ordered.**

Commissioner Corbus left the meeting.

Regular session resumed.

Geoff Schroeder appeared to give a brief review of House Bill 63-602NN regarding investment property tax exemptions.

Motion by Wootan, second by Hofer, to approve Ordinance No. 2017-03 Investment Property Tax Exemption.

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

**Motion carried and so ordered.**

**ELMORE COUNTY ORDINANCE 2017- 03**

**MINIMUM INVESTMENT AMOUNT NECESSARY TO QUALIFY FOR PLANT INVESTMENT PROPERTY TAX EXEMPTION UNDER IDAHO CODE § 63-602NN**

**AN ORDINANCE OF ELMORE COUNTY, IDAHO, ESTABLISHING THE MINIMUM INVESTMENT AMOUNT NECESSARY TO QUALIFY FOR THE TAX EXEMPTION AS SET FORTH IN IDAHO CODE SECTION 63-602NN FOR PLANT INVESTMENT; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Idaho Code § 63-602NN provides that the Board of County Commissioners of counties may exempt all or a part of the change from base value attributable directly to a plant investment for a period of up to five years provided that all requirements of that section are met; and

**WHEREAS**, the Idaho Legislature amended Idaho Code § 63-602NN to allow counties to adopt an ordinance which establishes a minimum plant investment amount of not less than five hundred thousand

dollars (\$500,000) at all project sites within the county as one of the requirements in order for plant investment to qualify for the exemption, effective July 1, 2017; and

**WHEREAS**, the Board of Commissioners of Elmore County finds that a minimum plant investment amount of \$500,000.00 combined with meeting the other requirements of Idaho Code § 63-602NN could stimulate economic development in Elmore County.

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

**SECTION I. PURPOSE.**

1. The purpose of this ordinance is to provide reasonable incentives for commercial and industrial development while providing adequate health, safety and general welfare protections of Elmore County residents.
2. The definitions contained in Idaho Code § 63-602NN(2) are incorporated herein and shall apply to the provisions of this ordinance.
3. This ordinance is not intended to and shall not be deemed to constitute a commitment to the taxpayer of any property tax exemption, which property tax exemption, if made, shall be in the sole discretion of the Board of County Commissioners.

**SECTION II. MINIMUM INVESTMENT AMOUNT NECESSARY TO QUALIFY FOR THE TAX EXEMPTION.**

1. Per Idaho Code § 63-602NN(2)(g), the minimum investment amount for plant investment at project sites within Elmore County, Idaho is set at a minimum threshold of five hundred thousand dollars (\$500,000.00); and
2. Those seeking a property tax exemption under Idaho Code § 63-602NN must meet all requirements of Section 63-602NN(g), Tax incentive criteria, in order to be granted the property tax exemption.

**SECTION III. PRELIMINARY NEGOTIATIONS, SEQUENCING AND TIMING**

If the project for which the exemption is sought requires, or the applicant seeks for the project, permits or approvals under the County's land use ordinances, such actions shall be concluded, through any appeals to the Board of County Commissioners, prior to commencing any preliminary negotiations or exemption applications under the sections below.

#### **SECTION IV. APPLICATION**

In order to be considered, an application must include a project plan. Applications will initiate final negotiations and preparation of documents that will be necessary for the Board to consider and approve an exemption. Once documents are prepared and submitted to the Board, a public meeting will be placed on the Board's agenda.

#### **SECTION V. NOTIFICATION AND PUBLIC MEETINGS**

Before granting an exemption pursuant to this Ordinance, the Board of Commissioners shall hold a public meeting on the application for exemption in compliance with Idaho Code §63-602NN, a copy for convenience which is stated below.

The Board shall provide notification as follows:

- a. A summary of the application under consideration; and
- b. Written notice of the time, date, and location of the public meeting, and an invitation to participate in the meeting to all affected taxing districts, urban renewal agencies and the Idaho Department of Commerce at least five (5) calendar days before the meeting.

#### **SECTION VI. APPROVALS**

At or after the public meeting, the Board will consider the application and make determinations regarding whether the exemptions will be granted, and if so, to what extent. Approval of an exemption, if any, shall be in the form of a written agreement which shall be considered a contract arrangement between the County and the taxpayer for the exemption time period granted by the Board.

#### **SECTION VII. TERMINATION AND WITHDRAWAL OF EXEMPTION**

If, within the project period, the use or nature of the defined project or investment in the new plant changes such that the project would no longer qualify for the tax exemption, the Board shall unilaterally terminate the agreement and withdraw the tax exemption.

#### **SECTION VIII. CONFLICT**

In the event of any conflict between this ordinance and Idaho Code §63-602NN, Idaho Code §63-602NN shall control.

#### **SECTION IX. EFFECTIVE DATE**



**WHEREAS**, the County of Elmore, acting through its Board of County Commissioners, has possession of numerous paper records which prove to be of no further purpose. The Prosecutor’s Office desires to destroy the following certain “Semi-Permanent Records” under Idaho Code § 31-871:

Elmore County Prosecutor’s Office –  
“Semi-Permanent Records”

- Certain misdemeanor files received between January 1, 2011 and December 31, 2011 (see attached list)(files are more than 5 years old), excluding any and all domestic battery files.

**WHEREAS**, approval for the destruction of the below listed records has been obtained from the Prosecuting Attorney, as provided by Idaho Code § 31-871.

**NOW, THEREFORE, BE IT RESOLVED**, that the Elmore County Board of Commissioners in lawful meeting assembled hereby authorizes the destruction of the paper records retained by the Elmore County Prosecuting Attorney’s Office reflected in the lists attached hereto.

**DATED** this 6<sup>th</sup> day of October, 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. 644-17 and refer to it in title only.

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

Motion by Hofer, second by Wootan, to approve Resolution No. 644-17 Transfer of Excess Tax Deed Sale Proceeds to the State Treasurer.

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

**RESOLUTION NO. 644-17**

**A RESOLUTION OF THE BOARD OF ELMORE COUNTY COMMISSIONERS, STATE OF IDAHO, AUTHORIZING TRANSFER OF EXCESS SALE PROCEEDS TO THE STATE TREASURER PURSUANT TO IDAHO CODE § 31-808.**

The following resolution and order was considered and adopted by the Elmore County, Idaho Board of Commissioners on the 6<sup>th</sup> day of October, 2017.

**WHEREAS**, Idaho code § 31-801 grants the general powers and duties, subject to the restrictions of law, to the boards of county commissioners in their respective counties; and

**WHEREAS**, Idaho Code § 31-828 grants the Board authority “to do and perform all other acts...which may be necessary to the full discharge of the duties of the chief executive authority of the county government”, and

**WHEREAS**, Idaho Code § 31-807 authorized the Board to manage county property subject to restrictions including, but not limited to, those described in Idaho Code § 31-808; and

**WHEREAS**, Idaho Code § 31-807 authorizes the Board to sell surplus properties acquired by tax deed; and

**WHEREAS**, Idaho code § 31-807 provided that proceeds from the sale of property acquired by tax deed, after payment of all delinquent taxes, late charges, interest and costs, (excess proceeds) be apportioned by the Board of parties in interest that makes claims, and then to the owners(s) of record at the time the tax deed was issued on the property; and

**WHEREAS**, Idaho Code § 31-808 was amended by 2016 Senate Bill 1347a to permit the County, after payment of party in interest claims, to transfer excess proceeds resulting from the sale of tax deeded properties to the State Treasurer to be claimed and distributed as unclaimed property; and

**WHEREAS**, the State Treasurer has indicated that he will accept transfer of unpaid excess proceeds in the possession of the County provided certain conditions are met; and

**WHEREAS**, the County has certain unpaid excess proceeds on account as set forth in Exhibit A, and finds that transferring said proceeds to the State Treasurer will result in more efficient processing of such claims; and

**WHEREAS**, the Board has determined that the County met the requirements for transferring said excess proceeds to the State Treasurer.

**NOW THEREFORE, THE BOARD OF COMMISSIONERS IF ELMORE COUNTY, IDAHO HEREBY RESOLVES**, that the excess proceeds, as described in Exhibit A, be transferred to the State Treasurer, pursuant to Idaho Code § 31-808, together with a completed unclaimed property report as directed by the State Treasurer and such other information that the State Treasurer might reasonable request.

**IT IS FURTHER RESOLVED BY THE BOARD**, that notice of said transfer be sent as required by Idaho Code § 31-808.

**IT IS FURTHER RESOLVED BY THE BOARD**, that this resolution shall be effective this 6<sup>th</sup> day of October, 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 adjourn.

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

**Motion carried and so ordered.**

**/S/ ALBERT HOFER, Chairman**  
**ATTEST: /S/ BARBARA STEELE, Clerk**