

**COMMISSIONERS MINUTES
JUNE 11, 2012**

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 Arlie Shaw, Commissioners Al Hofer and Wes Wootan. Also present were Civil Attorney Buzz Grant, Clerk Barbara Steele and Deputy Clerk Shelley Hooper.

Marilyn Landers and Jamie McDaniel, of the Mountain Home Historical Society, appeared to discuss their 2013 Operational Budget and request funding from the County in the amount of \$6,000.00. The museum does educational programs for school age children. They also have an archival program to preserve historical documentation and artifacts. They will be having several fund raising events throughout the year. They are in the process of digitizing and indexing historical records and videos. They will receive grants for digitizing equipment and to add a storage area to protect their documents.

Motion by Wootan, second by Shaw, to add to the agenda and discuss Idaho Waste Systems and the Glens Ferry Landfill.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Hofer, to go into Executive Session pursuant to I.C. 67-2345(b) to discuss a personnel issue. Roll call vote was taken.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

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

A Public Hearing was held to discuss Growth and Development Fee Schedule changes. Alan Christy, Growth and Development Director, appeared and reviewed the changes. The current fee schedule needs to be updated to include fees for Planned Communities

(PC's), Planned Unit Developments (PUD's) and Planned Unit Development Districts (PUDD's). The application fees are basically a deposit to be used for time incurred by the County. Once the application is approved they applicant will be billed by the County, and any overages of the application fee will be refunded. Discussion followed.

Motion by Shaw, second by Hofer, to accept the new fee schedule and adopt Resolution No. 476-12, Growth and Development Fees.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

RESOLUTION NO. 476-12

**AT A MEETING OF THE BOARD OF ELMORE COUNTY COMMISSIONERS,
STATE**

OF IDAHO, ON THE 11th DAY OF JUNE 2012, THE FOLLOWING

RESOLUTION WAS ADOPTED, TO WIT:

WHEREAS, Elmore County, acting through its Board of County Commissioners, 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 Elmore County Growth and Development Office provides certain public services; and

WHEREAS, Idaho Code § 67-6519(1) permits the County to impose a reasonable fee for processing permits under the Idaho Local Land Use Planning Act; and

WHEREAS, Elmore County published a notice of public hearing along with the current fees and the proposed changes to the fees to be charged by the Elmore County Growth and Development Department on May 23rd and May 30th, 2012 in the Mountain Home News, pursuant to Idaho code § 63-1311A; and

WHEREAS, a public hearing was held on June 11, 2012, requesting public input on the issue of changing the fees for services provided by the Growth and Department Office; and

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

WHEREAS, the Elmore County Board of County Commissioners has determined that it is in the best interest of the public to adopt the fees for services provided by the Growth and Development Office:

NOW, THEREFORE, BE IT RESOLVED by the Elmore County Board of County Commissioners in lawful assembled meeting as follows: The Board authorizes the Growth and Development Office to adopt the fees for public services according to the chart attached hereto as “Exhibit A” and incorporated fully herein.

IT IS FURTHER ORDERED That the fee changes will be effective June 11, 2012.

DATED this 11th day of June, 2012.

ELMORE COUNTY COMMISSIONERS

/S/ ARLEN O. SHAW, Chairman

/S/ ALBERT HOFER, Commissioner

/S/ WESLEY R. WOOTAN, Commissioner

ATTEST: /S/ BARBARA STEELE, Clerk

“EXHIBIT A”

GROWTH & DEVELOPMENT FEES
PROPOSED FEE

FEES UNDER PRIOR ORDINANCE

PLANNED COMMUNITIES

Pre-Application		\$20,032.00
\$20,000.00		
Application		\$80,301.00
\$80,000.00		
Annual\Biannual review		-----
	\$5,000.00	
Wildlife Mitigation review		-----
	\$5,000.00	
Subsequent Revisions		-----
\$20,000.00		

PLANNED UNIT DEVELOPMENT (PUD’S)

Pre-Application		\$5,035.00
\$5,000.00		
Application		
\$9,388.00	\$10,000.00	
Annual\Biannual review		-----
	\$2,000.00	
Wildlife Mitigation review		-----
	\$2,000.00	

Subsequent Revisions		-----
	\$10,000.00	
<u>PLANNED UNIT DEVELOPMENT DISTRICTS (PUDD'S)</u>		
Pre-Application		
\$9,055.00	\$9,000.00	
Application		
\$48,218.00	\$48,000.00	
Annual\Biannual review		-----
\$5,000.00		
Wildlife Mitigation review		-----
	\$5,000.00	
Subsequent Revisions		-----
	\$9,000.00	

Note: For the fees listed above for PC, PUD, PUDD the Growth and Development Department will track actual hours at the following rates:

Director \$40.00, Planner \$28.00, Admin \$23.00 per hour. Actual hours will be charged against the fees listed above. The applicant will be billed for any additional fees that may be required during the application and hearing process. Fees not utilized during application and hearing process will be refunded. Required county consultant and their fees are not associated with the fees listed above. County consultant fees will be billed at actual cost. The county reserves the right to determine what consultants are required. Bills will be sent every month. Applications will be put on hold indefinitely if there are any unpaid bills.

FEES FOR PC, PUD, PUDD
PROPOSED FEE

FEES UNDER PRIOR ORDINANCE

Appeal Administrative Decision to Planning and Zoning Commission	-----	\$
800.00		
Appeal for reconsideration to the Planning and Zoning Commission	-----	\$
800.00		
Appeal Planning and Zoning Commission to County Commissioners	-----	\$
800.00		
Appeal for reconsideration to the Board of County Commissioners	-----	\$
800.00		
Administrative Decision Application	-----	
\$ 250.00		
Conditional Use Permit (CUP)	-----	
\$ 800.00		
Extensions of Approval	-----	
\$ 500.00		
Variance	-----	
\$ 800.00		
Vacation (Subdivision or Roadway)	-----	
\$ 800.00 + 10.00 a lot		
Preliminary Plat Subdivision	-----	
\$ 1500.00 + 10.00 a lot		
Final Plat Subdivision	-----	
\$ 700.00 + 10.00 a lot		
Cancelation of meeting/public hearing	-----	
Same as application		

Note: Any planned community fee not listed under this section will have the same price as a similar application located outside of a planned community.

Note: County consultant fees are required for all plats and application review. County consultant fees will be billed at actual cost.

CHANGES TO EXISTING GROWTH & DEVELOPMENT FEES CURRENT FEE PROPOSED FEE

APPLICATIONS
 Administrative Waiver Application \$ 250.00
 \$100.00

BUILDING FEES

Agriculture Exempt Building \$150.00	\$ 250.00	
Roofing Re-Shingle permit + ZP Fee	\$ 100.00 permit + ZP Fee	\$ 50.00
New Woodstove/Fireplace installation permit + ZP Fee	\$ 100.00 permit + ZP Fee	\$ 50.00

Note: Complex projects incurring extra costs such as multiple public hearings, professional meeting recordation/transcripts, consultants, meeting facilitators, building rental, security services, attorney fees, or any other expense incurred while processing the application will be billed at cost on a monthly basis.

Note: Items and applications not listed in this notice are subject to cost to process.

Note: Only the Elmore County Board of Commissioners can reduce or waive fees.

Lists of the entire Elmore County Growth and Development fees and Elmore County Growth and Development Building Department fees are available upon request from the Elmore County Growth and Development Department.

Mr. Christy discussed the timeframe for the Mayfield Springs project. Also, the construction of the towers for the wind farms should begin within the next few weeks.

Clerk Steele stated all departments are working on their budgets.

Elections Clerk Vivian Garcia appeared to discuss requirements for Certificates of Residency.

Christine Ostberg, Jury Clerk, appeared to discuss storage issues in District Court. They have 125 boxes full of files which need to be scanned and then stored away. The storage room they have in the Law Enforcement Building is full. The Board will recess to go next door to the Law Enforcement Building to evaluate the storage areas and possible plans for better use of the available space.

Regular session resumed. The Board will discuss the Law Enforcement Building storage issues further with Sheriff Rick Layher.

Motion by Shaw, second by Hofer, to approve the minutes for May 21, 2012 and May 30, 2012. Discussion followed.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Commissioner Hofer would like the record to reflect that the sale of the Glenns Ferry Tax Deed property and the purchase of a back-hoe, as approved in the May 30, 2012 Commissioner meeting, did not take place.

Motion by Shaw, second by Hofer, to approve the Expenses in the amount of \$368,380.68.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Hofer, to approve the Payroll for May 2012 in the amount of \$397,341.01.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Hofer, to approve the Ambulance District Expenses in the amount of \$88.36, payable to Mountain Home Auto Ranch.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Wootan, to approve the Pest Abatement District Expenses in the amount of \$267.92, payable to Sportsman's Warehouse.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Hofer, to approve the Recorder's Office Report, Clerk's Bail Bond Report and the Treasurer's Office Report for the record only.

SHAW..... -AYE

HOFER..... -AYE

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

Motion by Shaw, second by Hofer, to approve the Certificates of Residency for Jaimie Kaitlynn Bonorato, Cheyenne Michele Castillo, Miriam Rocio Damasco, Eloy Guadarrama, Jose Manuel Ramirez, Cassandra Lee Wickard, Courtney Lynn Wickard, Jacob W. Fogleman and Amanda S. Hubbard.

SHAW..... -AYE

HOFER..... -AYE

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

Attorney Terry Ratliff, Elmore County Public Defender, appeared to give his quarterly report. He has submitted his budget letter. His office has had six hundred and ninety cases since October 2011, with three hundred and sixty one cases still current. His department has a need for another attorney due to the increase in Drug Court Cases. This has been included in his budget request. His office is dealing with a very high number of DUI cases. His upcoming criminal trial was discussed.

Sheriff Rick Layher appeared to discuss the storage areas in the Law Enforcement Building. His department is using several of the rooms for arrest files and evidence. The Disaster Services room and the new dispatch room were discussed. There was a wild fire last week as a result of lightning. A Sheriff's Deputy was injured in an accident while responding to the fire.

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

SHAW..... -AYE

HOFER..... -AYE

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

Regular session resumed.

Motion by Shaw, second by Wootan, to go into Executive Session pursuant to I.C. 67-2345(b) to discuss a personnel issue. Commissioner Hofer recused himself from the Executive Session. Roll call vote was taken.

SHAW..... -AYE

HOFER..... -RECUSED

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

Regular session resumed. The following decision was made as a result of the Executive Session:

Motion by Shaw, second by Wootan, to not grant a hearing to the employee.

SHAW..... -AYE

HOFER..... -RECUSED

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

Motion by Shaw, second by Hofer, to go into Executive Session pursuant to I.C. 67-2345(b) to discuss a personnel issue. Roll call vote was taken.

SHAW..... -AYE

HOFER..... -AYE

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

Regular session resumed. The following decision was made as a result of the Executive Session:

Motion by Shaw, second by Hofer, that the Board adopts the decision that was discussed in the Executive Session and authorizes Commissioner Hofer to execute any necessary documentation in regards the decision.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Hofer, second by Wootan, to approve and sign the Agreement for Noxious Weed Control.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Hofer, second by Wootan, to approve and sign the Agreement between the City of Mountain Home and Elmore County for the donation of three MPH Tru View DVD Video Systems to Elmore County.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Hofer, to approve and sign the Juvenile Probation Mini-Grant Application for Video Arraignment Equipment.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Wootan, to ratify the execution of the Elmore Ambulance District Support Letter.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

Motion by Shaw, second by Wootan, to go into Executive Session pursuant to I.C. 67-2345(d) – 31-874 to discuss indigent applications. Roll call vote was taken.

SHAW..... -AYE

HOFER..... -AYE

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

Regular session resumed. The following decision was made as a result of the Executive Session:

Motion by Shaw, second by Wootan, to accept the Finding of Facts and Conclusion of Law on K-11-11-05. There will be no reimbursement requested at this time, but will be re-evaluated in one year, as applicant is in a personal care home and all the income currently goes to them as payment.

SHAW..... -AYE

HOFER..... -AYE

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

Chairman Shaw excused himself from the remainder of the meeting.

Motion by Hofer, second by Wootan, to go into Executive Session pursuant to I.C. 67-2345(d) – 31-874 to discuss indigent applications. Roll call vote was taken.

SHAW..... -ABSENT

HOFER..... -AYE

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

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

K-04-12-10 Motion by Wootan, second by Hofer, to deny as medical records and billing are not complete. The applicant has not provided residency documentation and may be an Owyhee County resident for indigency purposes. The application was not timely filed and should have been a 10 day prior application.

SHAW..... -ABSENT

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

K-05-12-01 Motion by Wootan, second by Hofer, to deny as medical records and billing are not complete.

SHAW..... -ABSENT

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

K-05-12-02 Motion by Wootan, second by Hofer, to deny as an incomplete application, unable to locate applicant, unable to determine residency or indigency. This was filed as a third-party application with no information.

SHAW..... -ABSENT

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

K-05-12-09 Motion by Wootan, second by Hofer, to approve with reimbursement of \$100.00 per month and 50% of tax refunds as payment, with an initial payment of \$1,000.00.

SHAW..... -ABSENT

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

K-05-12-10 Motion by Wootan, second by Hofer, to approve with reimbursement of \$100.00 per month and 50% of tax returns as payment.

SHAW..... -ABSENT

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

The NACo Prescription Drug Card Program was discussed. The target start date of the program is set for July 25, 2012. The card is free to Elmore County Residents. Anyone without prescription coverage can use this program. Even if you have insurance for prescription drugs, you may still benefit from the discount card, since it may save you money on prescription drugs that are not covered by your existing plan. Participants can save an average of 24% off the pharmacy's regular price on all commonly prescribed prescriptions.

Commissioner Wootan stated the Glens Ferry Landfill is running much smoother. Idaho Waste Systems is looking into getting a tire shredder to take care of the tires at the landfill. Discussion followed.

Motion by Wootan, second by Hofer, to adjourn.

SHAW..... -ABSENT

HOFER..... -AYE

WOOTAN..... -AYE
so ordered.

Motion carried and

/S/ ARLEN O. SHAW, Chairman

ATTEST: /S/ BARBARA STEELE, Clerk