

**COMMISSIONERS MINUTES  
JUNE 25, 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 4<sup>th</sup> 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.

Motion by Shaw, second by Hofer, to approve the expenses in the amount of \$137,154.48.

**SHAW..... -AYE**

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

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

**Motion carried and so ordered.**

A burning ban for the county was discussed. Chairman Shaw spoke to several people regarding the recent wildfires. The dry weather conditions and high winds are becoming a serious concern for wild fires. There will be an article in the Mountain Home News regarding the recent fires, stating that there will be a burn ban in effect. The newspaper article is to educate residents on the threats of fires and also to encourage residents to attend the upcoming July 4th fireworks display instead of setting them off in their own yards and risk starting a fire. Civil Attorney Buzz Grant suggested a burning ordinance. Local fire fighters Larry Jewett and Bud Corbus also appeared. Mr. Jewett explained the importance of educating the public regarding wildfires and the risks of starting one. Mr. Corbus explained the difficult process of trying to contain the fires. He questioned whether it is possible to impose a fine for starting a wildfire to pay the cost of fighting the fires. He also stated the importance of residents keeping their properties maintained and weeds surrounding their properties cut short, which can help prevent the wildfires from becoming catastrophic. There was a fire on Interstate 84 at exit 90 and although there were no homes in the area, the fire was still dangerous to the interstate traffic. Several cars drove off the road to avoid the wildfire. There was a question of whether a fire department needed rights to fight a fire outside of their own district. Chairman Shaw suggested making a map of the fire districts in the county to make sure all areas are covered in case of a fire. Alan Christy, Growth and Development Director, stated his department has maps showing each coverage area throughout the county and will provide copies to the Board. Attorney Grant discussed the contents of a fire protection ordinance

and suggested it include open burning and shooting ammunition that may potentially start a fire. Fireworks may also be a concern. Discussion followed.

Alan Roberts, Extrication Department, appeared to discuss his department budget. He had increased one line item to include donations that they have been receiving. His department got a vehicle donated to them from Idaho Power which needed equipment additions which used up quite a bit of the budget for this year. Discussion followed.

Assessor Ron Fisher appeared to discuss his department budget. Mr. Fisher's budget will stay the same as the previous year. His department is currently less one employee and he does not plan on filling the position at this time. Discussion followed.

The monthly Department Heads meeting was held.

Alan Christy, Growth and Development Director appeared to give his monthly update. One hundred and seventy five building permits have been issued for the fiscal year. There was a significant drop in permits issued for the month of June. The large format plotter, which is used to make maps for several county departments, is in need of repair. His department has started an ordinance clean-up project. There will be a hearing held in August on the Mayfield Springs project.

Wade Baumgardner, Veteran Services Officer, appeared to give his monthly update. The past month has been extremely busy with requests for reconsideration of disability compensation services that were previously denied, due to a change in the law specifically associated with Agent Orange exposure criteria. There will be an annual training conference August 15th-17th. His department has been able to assist thirty one veterans and their family members last month.

Jennifer Crogg, Misdemeanor Probation, appeared to give her monthly report. Their numbers are down significantly this month. They have added five new clients to the case load and twelve clients have been released from probation. The community services number have increased from the previous month. Ms. Crogg is meeting with Global Drug Testing in Boise to have them handle the department's drug testing.

Mir Seyedbagheri, Extension Office, appeared to give his monthly reports for May and June. They are doing surveying and several different tests trying to combat issues with insects carrying a bacteria which is destroying potato production. Chairman Shaw heard there was a West Nile Virus outbreak on the east coast. Mr. Seyedbagheri stated they are keeping track of any possibility of an outbreak in Elmore County.

Carol Killian, Disaster Services, appeared to update the Board regarding the Lagoon Circle levee and a flooding issue in the Ballantyne Subdivision. Ms. Killian spoke to Herb Bessey of the Army Corp of Engineers. Mr. Bessey stated that when the levee was constructed, it did not adequately protect the subdivision from flooding and suggested several options for the landowner, most of which would be costly. Also, there are Army

Corp of Engineer programs that can be used to construct a new levee but these have to be cost shared by a public entity. Discussion followed.

Steve Dye, Juvenile Probation Director, appeared to give his monthly report. The caseload is the highest it has ever been. The department is working well together on the cases. They have shifted their focus the higher risk kids, which are the ones who are more likely to reoffend. Their collection rate has increased. As of July 1<sup>st</sup> they will start charging supervision fees.

Katie Ashby, Drug Court, appeared to give her monthly report. They currently have twenty participants. Three participants have successfully completed the program and two more are scheduled for completion by the end of the week. All five participants have paid their fees in full. There were five participants who were terminated unsuccessfully. There are four people on a waiting list for the program. Ms. Ashby has requested approval for 10 more slots, which will bring them up to 30 cases. She applied for a grant to fund the extra slot and is still awaiting confirmation. They are holding a fundraising golf tournament on August 11<sup>th</sup> and have already raised \$500.00 for sponsored holes.

Treasurer Rose Plympton appeared to discuss her department budget and update the Board of her monthly progress. Ms. Plympton raised her budget slightly to cover the cost of publications, mailings etc. for the Tax Deed process. She has received the PILT funds and her office has collected 96% of the 2011 taxes. She will be preparing the Tax Deeds for the properties that the County acquired during the tax deed hearing and get them to Clerk Steele so a Tax Deed sale can be scheduled.

Motion by Wootan, second by Shaw, to add to the agenda the Casualty Loss Exemption Form for Kathryn Sharp, as it was received after the agenda was completed.

**SHAW..... -AYE**

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

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

The monthly Elected Officials meeting was held.

Assessor Fisher appeared to update the Board. Mr. Fisher’s office has sent out tax assessment notices at the beginning of June and has been dealing with appeal issues. He explained why the property assessment decreased this year. They have to follow ratio studies set by the state to figure out assessment by comparing assessment values with property sales, which have been low.

County Prosecutor Kristina Schendele, appeared to update the Board on her monthly progress. Attorney Schendele discussed their upcoming criminal trial set for October 15, 2012. The jury clerk will be sending out seven hundred jury summonses. Jury selection

will be held at the Elks Club to accommodate the large number. She suspects she will get a motion to change venue as this a well know case, but does not think that the change will be approved. The trial will run Mondays through Thursday and Fridays will be District Court days.

Clerk Steele updated the Board. The Board of Equalization tax assessment appeals will be held next week. Her department has started to work on budgets. There will be an election held in August for the Bruneau/Grandview School District levy.

Chairman Shaw attended the Commissioners and Clerks IAC Conference a few weeks ago. They discussed the closed primary election this past May and personal property tax. The Board is working with Civil Attorney Buzz Grant to get an emergency burning ban ordinance drafted.

Motion by Shaw, second by Hofer, to recess as a Board of Commissioners and convene as a Board of Equalization.

**SHAW..... -AYE**

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

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

Assessor Fisher reviewed two Casualty Loss Exemption Forms. Property owner Larry Lasuen had the center of his hay cover blow down during a recent wind storm. Property owner Kathryn Sharp had the structure on her property burn to the ground during a wildfire last week.

Motion by Wootan, second by Shaw, to approve the Casualty Loss Exemption Form for Larry Lasuen on parcel #RP04S07E062690 to prorate the taxes from \$1,680.00 to \$716.00 effective June 4, 2012.

**SHAW..... -AYE**

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

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

Motion by Shaw, second by Wootan, to approve the Casualty Loss Exemption Form for Kathryn Sharp on parcel #RP03S06E331100A to reduce the assessment of the improvements only from \$11,392.00 to \$5,291.00 as of June 18, 2012.

**SHAW..... -AYE**

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

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

Motion by Shaw, second by Hofer, to recess as a Board of Equalization and convene as a Board of Commissioners.

**SHAW..... -AYE**

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

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

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

**SHAW..... -AYE**

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

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

Regular session resumed.

Motion by Shaw, second by Hofer, to approve the minutes for June 18, 2012.

**SHAW..... -AYE**

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

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

Motion by Shaw, second by Wootan, to approve the Ambulance District Expenses in the amount of \$2,230.25. Norco - \$2,174.56 and RTI - \$55.69.

**SHAW..... -AYE**

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

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

Motion by Shaw, second by Hofer, to approve the Catering Permit for Kurly’s Sport’s Bar & Grill.

**SHAW..... -AYE**

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

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

The possibility of non county employees having access to the County Wi-Fi when visiting county offices was discussed.

Clerk Steele discussed a new “Call a Nurse” service that can be added to the employee health care benefits. Instead of going to the emergency room or the doctor, the individual can call a nurse, explain their situation and get some guidance as to whether an emergency room or doctor visit is necessary. The service can save the cost of a deductible for the doctor or emergency room and will only increase the county’s cost by \$0.11 per employee. Discussion followed.

Motion by Shaw, second by Hofer, to adopt the Blue Cross Insurance Renewal Policy to include the increase of \$0.11 per employee for the Call a Nurse service.

**SHAW..... -AYE**

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

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

Motion by Shaw, second by Wootan, to go into Executive Session pursuant to I.C. 67-2345(d) – 31-874 to hold a Hearing of Reconsideration on case K-10-11-08. Roll call vote was taken.

**SHAW..... -AYE**

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

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

A hearing was held on case K-10-11-08. Present at the hearing were Chairman Arlie Shaw, Commissioners Al Hofer and Wes Wootan, Civil Attorney Buzz Grant, Clerk Barbara Steele, Deputy Clerk Shelley Hooper, Social Services Director Marianne Bate and Social Services Assistant Candy Hinton. Also present were Chivon Lewis and Leslie

Hayes, representing St. Alphonsus Regional Medical Center, the applicant and the applicant's spouse. Questions were asked and answered. The hearing was closed.

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

The Hearing of Reconsideration on case K-10-11-08 will be continued until July 16, 2012 at 10:00 a.m.

A short recess was taken.

Regular session resumed.

Motion by Shaw, second by Wootan, to approve and have Chairman Shaw execute the Memorandum of Agreement between the State of Idaho Military Division, the Elmore County Commissioners and the City of Mountain Home, Idaho, regarding the Idaho State FY 2013 contractual employment of the position currently occupied by Mr. Bill F. Richey.

**SHAW..... -AYE**

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

**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 Wootan, second by Shaw, to terminate the employee effective June 25, 2012.

**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(d) – 31-874 to discuss indigent applications. Roll call vote was taken.

**SHAW..... -AYE**

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

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

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

K-05-12-04 Motion by Wootan, second by Shaw, to deny as bills prior to April 30, 2012 are not timely filed and applicant cannot prove he was an Idaho resident for thirty days prior to dates of service. The hernia surgery performed on April 30, 2012 was filed as “emergent” surgery and should have been filed as a 10 day prior application.

**SHAW..... -AYE**

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

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

K-05-12-05 Motion by Wootan, second by Shaw, to approve with reimbursement order of \$50.00 per month and 50% of State and Federal tax refunds as payment. Re-evaluate reimbursement in six months.

**SHAW..... -AYE**

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

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

K-05-12-06 Motion by Wootan, second by Shaw, to approve with reimbursement order of \$25.00 per month and 50% of State and Federal tax refunds as payment. Amount of reimbursement will be re-evaluated on December 15, 2012.

**SHAW..... -AYE**

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

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

K-05-12-07 Motion by Hofer, second by Wootan, to approve with reimbursement order of \$25.00 per month and 50% of State and Federal income tax refunds as payment.

**SHAW..... -AYE**

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

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

K-05-12-08 Motion by Shaw, second by Hofer, to deny as unable to determine indigency, residency or last resource. The applicant failed to cooperate and cannot be found at the address on the application.

**SHAW..... -AYE**

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

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

Attorney Grant discussed an emergency Fire Ordinance. An ordinance will take more than a few days to prepare. Until an ordinance can be passed, a resolution can be prepared outlining the burn ban to educate the residents of the county of the increased risk of wildfires due to the severely dry conditions. Discussion followed.

Motion by Wootan, second by Shaw, to add to the agenda the discussion of three signs for the Glenns Ferry and Bennett Road Landfills.

**SHAW..... -AYE**

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

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

The Glenns Ferry and Bennett Road Landfills have restricted areas where no dumping is allowed and signs are needed to designate the areas as such. Commissioner Wootan will research prices of the signs and what companies make them. Discussion followed.

Motion by Shaw, second by Hofer, to adjourn.

**SHAW..... -AYE**

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

**WOOTAN..... -AYE**  
**so ordered.**

**Motion carried and**

**/S/ ARLEN O. SHAW, Chairman**

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