

COMMISSIONERS MINUTES JULY 30, 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 and Commissioner Al Hofer. Also present were Civil Attorney Buzz Grant, Clerk Barbara Steele and Deputy Clerk Shelley Hooper. Commissioner Wootan was absent due to a death in the family.

Allen Kiester, Pine EMS, appeared to discuss the Pine Ambulance Supervisor Volunteer Agreement.

Volunteer Supervisor Kate Baldwin was unable to attend due to a death in the family. Mr. Kiester will reschedule the meeting with the Board regarding the Volunteer Agreement once Ms. Baldwin is available. Mr. Kiester updated the Board on Pine EMS issues. Their rescue truck is still being kept at the old building for the next few months, as there is no room at the joint sub-station for it right now. It will need to be moved to the sub-station in the fall, so there may be a need to build some sort of enclosure so the truck will be covered during the winter months. He would like to get a two-sided sign to post on the side of the road at the turn to the sub-station so that residents can find the new EMS location. He would like to upgrade to DSL high speed internet for the building, as EMS and the sheriff's deputies are sharing internet service. Mr. Kiester discussed coverage issues that Ms. Baldwin may have for the upcoming winter months. Wes Anderson, who was in the audience, is the owner of Acute Rescue & Transport, of Boise. Mr. Anderson stated he has worked with Ms. Baldwin over the last ten years and they had discussed critical staffing issues for the Pine/Featherville area. Mr. Anderson had helped Ms. Baldwin over the past year with staffing when she was in need. He stated that he can continue to help with the staffing issues in that area but would ask that the County sign a Mutual Aid Agreement. Mr. Anderson stated that he can help with transport and staffing issues in Oasis and Atlanta as well. His company can also help with billing for services. Chairman Shaw stated that the County helps these volunteer groups with supplies and have donated old ambulances to them, but the County is contracted with Elmore Medical Services and not each individual EMS group. The Board will review Mr. Anderson's proposal.

Sheriff Layher and Detective Michael Barclay appeared to discuss a workman's compensation claim.

Clerk Steele had a question of whether Detective Barclay will be receiving workman's comp and getting paid for vacation, sick and comp time also. Mr. Barclay explained that the claimant will receive a workman's comp check while using their vacation, comp and sick time. Once the claimant has used up all of their time, the claimant is required to give

their workman's comp check to the County because the County will now be paying the claimant their regular wages. In Mr. Barclays's case, the defendant was also ordered to pay restitution for the injuries. Those restitution payments are submitted to the State's Insurance Fund to reimburse the workman's comp. Discussion followed.

The public portion of the meeting was held. Guy Beckham and Jane Hunter appeared to discuss the opening of the Oasis Events Center. They reside close to where the events center will open and they are concerned about noise and traffic throughout the area and the possibility of wildfires being started due to carelessness. As homeowners close to the venue, they feel that they are impacted by the opening of this events center without having a chance to give their input. They asked the Board if they can rethink the opening of this events center. Alan Christy, Growth and Development Director, was present at the meeting and Chairman Shaw questioned whether they held a public meeting regarding the opening of the events center. Mr. Christy stated that they are not required to hold a public hearing. The events center was issued a temporary permit to hold events for this year only and has to comply with certain conditions before they will get a permit for next year. Discussion followed.

Carol Killian, Disaster Services, appeared to discuss the Ballantyne Levy issue. Ms. Killian stated there are six homes that would primarily be affected by flooding. Commissioner Hofer questioned whether there are any grants available to the residents to help them with the levy. Ms. Killian doesn't think there are any grants available at this time. She had received some information from the Army Corp of Engineers on how the flooding issue may be solved. The residents can pool their resources to construct a new levy or form a Flood Control District. Ms. Killian suggested the residents take preventative measures such as raising their homes up on stilts. Some are already on stilts, but they homes closest to the river should be raised up to at least four or five feet. She stated that it would be an expense to each homeowner, but they should have been aware of possible flooding issues when they were constructing their homes. Attorney Grant will draw up a letter to send to the residents of the subdivision with suggestions on how to handle the issue.

Traci LeFever, E911 Coordinator, appeared to discuss ambulance records that are in storage. The records are approximately eleven years old. Ms. LeFever stated most of the records are insurance forms. The statute for the retention of the records has expired, so they can be destroyed. Some of the records contain personal information so they should be shredded instead of thrown away. Attorney Grant will prepare a resolution to destroy the records.

Ms. LeFever also discussed the E911 Grant Application. Funding from the grant will be payable in November if the grant is approved.

Motion by Shaw, second by Hofer, to approve and sign the E911 Grant Application.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -ABSENT Motion carried and so ordered.

Motion by Hofer, second by Shaw, to approve the minutes for July 6, 2012 and July 23, 2012.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -ABSENT Motion carried and so ordered.

Motion by Shaw, second by Hofer, to approve Tax Cancellation No. 1167 Claudia Scott - \$59.60 and No. 1168 Jennifer Blackburne - \$113.84.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -ABSENT Motion carried and so ordered.

Motion by Shaw, second by Hofer, to approve the Catering Permit for Stew’s Place for Three Island Days to be held at the Glenns Ferry Fairgrounds on August 11 & 12, 2012.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -ABSENT Motion carried and so ordered.

Motion by Shaw, second by Hofer, to approve the Certificates of Residency for Clinton Lee Butori, Jessica Lynn Cook, Cicilia C. Fugit, Cassandra Garza, Arnoldo Gastelum, Jeremy Dan Gilies, Socorro J. Tapia, Lori Laine Urfer, Violeta J. Garcia-Sedano, Chaise Reid Hopkins, Brenna S. Proud and Michele A. Shopland.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -ABSENT Motion carried and so ordered.

Motion by Hofer, second by Shaw, to approve the Ambulance District Expenses in the amount of \$87,264.08 payable to Elmore Medical Center.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -ABSENT Motion carried and so ordered.

Deputy Jim Durham, Courthouse Security, appeared to discuss the front door metal detector. The unit is eight years old and there are several mechanical issues with, so the unit needs to be replaced. A new unit will cost approximately \$3,500.00. Mr. Durham just needed to replace security monitors out of his equipment budget, so he needs to request extra funding to replace the metal detector. The Board approved the cost of the metal detector and for Mr. Durham to purchase the equipment.

Sheriff Layher needs a vehicle to replace the departmental vehicle that was involved in an accident a few months ago. He received a check from the insurance company and found a suitable vehicle at a reasonable price and asked the board if he can purchase the replacement vehicle.

Motion by Shaw, second by Hofer, to add to the agenda the discussion of the purchase of a vehicle for the Sheriff’s Department.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -ABSENT Motion carried and so ordered.

Motion by Shaw, second by Hofer, to approve the purchase of a vehicle by the Sheriff’s Department.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -ABSENT Motion carried and so ordered.

Captain Lynn McCallum, Sergeant Ernie Todd and Sergeant Tom Robinson, County Jail, appeared to discuss the purchase of a new booking computer for the Jail. The booking computer program is not compatible with the county computer system. They have been

having issues with the booking computer program which is causing the booking computer to be rebooted several times a day. They can upgrade the current booking program at a cost of approximately \$8,000.00 or get a brand new booking program from a different vendor for a much larger cost. The Board agreed to the upgrade of the booking computer program at a cost of \$8,500.00. Discussion followed.

Sheriff Layher discussed the Glens Ferry Security Agreement. He submitted his request to the City of Glens Ferry with a 3% increase for FY2013. He was told that they will not agree to the 3%, but may possibly agree to 1.5%. Discussion followed.

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

SHAW..... -AYE

HOFER..... -AYE

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

Regular session resumed.

Motion by Shaw, second by Hofer, to go into Executive Session pursuant to I.C. 67-2345(d) – 31-874 to hold a Hearing of Reconsideration on case K-04-12-08. Roll call vote was taken.

SHAW..... -AYE

HOFER..... -AYE

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

A hearing was held on case K-04-12-08. Present at the meeting were Chairman Arlie Shaw, Commissioner Al Hofer, Civil Attorney Buzz Grant, Clerk Barbara Steele, Deputy Clerk Shelley Hooper and Social Services Director Marianne Bate.

Questions were asked and answered. The hearing was closed.

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

Regarding case K-04-12-08, the Board will take the matter under advisement.

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..... -ABSENT Motion carried and so ordered.

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

K-09-11-05 Motion by Shaw, second by Hofer, to release the Elmore County Social Services lien for only the property described in the document recorded as instrument # 423501 in the Elmore County Recorder’s Office and send to CAT for approval.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -ABSENT Motion carried and so ordered..

K-06-12-08 Motion by Shaw, second by Hofer, to approve as the applicant has now completed the documentation and medical bills were received, with a reimbursement order of \$50.00 per month and 50% of Federal and State tax refunds as payment. The case will be revisited in February 2013 to determine if monthly reimbursement amount should be increased.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -ABSENT Motion carried and so ordered.

Motion by Shaw, second by Hofer, to go into Executive Session pursuant to I.C. 67-2345(f) to discuss pending litigation. Roll call vote was taken.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -ABSENT Motion carried and so ordered.

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

Motion by Shaw, second by Hofer to approve Resolution No. 480-12 regarding the use of County-Issued Credit Cards and the Credit Card Policy.

SHAW..... -AYE

HOFER..... -AYE

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

Attorney Grant discussed the Glenns Ferry Cell Tower. There is a consultant questioning who actually owns the tower. Attorney Grant stated the county’s records are inconclusive. An AT&T affiliate is paying rent on the land to Elmore County, but there is no documentation as to who actually built the tower. Clerk Steele recalls that AT&T asked if they could put a cell tower on the county’s fair-ground land and they would draw up a lease for a certain amount of rent every month. The AT&T consulting group who handled the lease has been replaced and the new consulting group is updating the records and wants to clarify if AT&T is the owner of the tower. Attorney Grant will follow up with the consultant. Discussion followed.

The Snake River Trash Hauling Contract was discussed. Chairman Shaw questioned the extra charge for hauling trash to the Bennett Road Landfill. The discussion will be table until the next meeting when Commissioner Wootan will be present.

Assessor Ron Fisher reviewed a Casualty Exemption Claim Form for Steven and Reta Brown on parcel # RP01S05E235440A. A machine shed was destroyed in a recent range fire.

Motion by Shaw, second by Hofer, to approve the Casualty Loss Exemption Form for Steven or Reta Brown and reduce the valuation of the shed to \$617.00 for the year 2012.

SHAW..... -AYE

HOFER..... -AYE

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

Mr. Fisher also reviewed three Casualty Loss Exemption Claim Forms for Emmett Burns for parcel # MHTR0000180000A for a manufactured home, parcel # MHTR0000468500A for a manufactured home (storage) and parcel #RP05S08E270610A for outbuildings. These structures were also destroyed in the recent range fire.

Motion by Shaw, second by Hofer, to approve the Casualty Loss Exemption Form for Emmett Burns on parcel # MHTR0000180000A and reduce the valuation to \$1,304.00 for 2012.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -ABSENT Motion carried and so ordered.

Motion by Shaw, second by Hofer, to approve the Casualty Loss Exemption Form for Emmett Burns on parcel #MHTR0000468500A and reduce the valuation to \$79.00 for 2012.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -ABSENT Motion carried and so ordered.

Motion by Shaw, second by Hofer, to approve the Casualty Loss Exemption Form for Emmett Burns on parcel #RP05S08E270610A and reduce the valuation to \$664.00 for 2012.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -ABSENT Motion carried and so ordered.

A continuation of the tax recovery appeal hearing was held for Gregory Hunt. Initially, Mr. Hunt's homeowner's exemption was denied for the years 2008, 2009 and 2010, as Mr. Hunt failed to provide proof of primary residency to the Assessor's office. Mr. Hunt appeared and presented the Board with two binders with receipts from the years 2008 and 2010 to prove that Mountain Home was his primary residence for those years. Mr. Hunt provided monthly utility bills, lawn service company bills, a roof repair bill, bank statements, Wal-Mart receipts and car maintenance receipts from various months throughout the year 2008 and seven receipts for the year 2010. Assessor Fisher would like time to review the evidence and present his findings to the Board. Attorney Grant stressed the fact that the receipts provided do not show proof of residency, as he does not have to be living in Mountain Home to pay these types of bills every month and again asked Mr. Hunt to provide the Board with proof of local daily transactions such as ATM withdrawals, local grocery store and restaurant receipts. Mr. Hunt stated he will be in Mountain Home until this Friday and will try to get more documentation to Assessor Fisher regarding proof of residency for 2009 and 2010. The hearing will be continued until August 13, 2012 at 3:00 pm.

A short recess was taken. Regular session resumed.

Motion by Shaw, second by Hofer, to add to the agenda the discussion of the remaining Glenns Ferry Tax Deed property.

SHAW..... -AYE

HOFER..... -AYE

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

There is a remaining Tax Deed property that was not sold at the last Tax Deed Sale. The Board decided to accept bids of no less than \$1500.00 for the property. It will be included in the August 27th Tax Deed Sale.

A short recess was taken. Regular session resumed.

The NACo Discount Prescription Drug Card Program was discussed.

Katie Ashby and Shawna Kellerman, Drug Court, Jennifer Crogg, Misdemeanor Probation, Judge Hicks, County Prosecutor Tina Schindele, County Public Defender Terry Ratliff and Megan Roumanis of the Public Defender’s Office, appeared to discuss the Drug Court program budget. Clerk Steele questioned the fact that the grant approval will not be known until after the budget is finalized, and if the grant is denied, the county will have to fund the tentative increase. The program was approved to add eight extra slots to the drug court program. If that were to happen, Ms. Ashby stated they would have to increase the hours of one employee from part time to full time. The grant would cover the salary increase, but if the grant is not approved the county would have to fund the salary increase. Clerk Steele asked for an account of daily activities for the drug court employees, to help justify the increase from part time to full time. Drug Court currently has twenty participants in the program. Clerk Steele questioned why an increase from 25 hours per week to 40 hours per week would be necessary for an increase of only eight participants. Attorney Ratliff stated that his office is also involved. He requested a budget increase as well, if the eight slots were to be added. He stated that if his office would be spending more time handling drug court cases, he will have to hire another attorney to help cover the rest of the cases in his office. Judge Hicks stated there definitely is a need for the program. Chairman Shaw suggested increasing up to 35 hours instead of 40 hours. The Board will discuss the issue further with Commissioner Wootan when they meet again on Wednesday to finalize the budget.

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..... -ABSENT
ordered.

Motion carried and so

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

Motion by Shaw, second by Hofer, to adjourn.

SHAW..... -AYE

HOFER..... -AYE

WOOTAN..... -ABSENT
ordered.

Motion carried and so

/S/ ARLEN O. SHAW, Chairman

ATTEST: /S/ BARBARA STEELE, Clerk