

COMMISSIONERS MINUTES

MAY 3, 2024

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 Chairperson Bud Corbus, Commissioners Al Hofer and Crystal Rodgers, Deputy Prosecutor Phil Miller, Clerk Shelley Essl and Deputy Clerk Vicky Trevathan.

Sheriff Mike Hollinhead appeared before the Board with the Sheriff for the Day. Easton Lawson was sworn in as Sheriff for the Day.

Landfill Equipment was discussed by the Board.

James Roddin appeared before the Board to discuss the remodel of the Forest Service and Desert Sage buildings.

Motion by Rodgers, second by Corbus, to approve Paige Mechanical to repair the cooling unit for the Cadaver Cooler in the amount of \$8,796.00.

CORBUS -**AYE**

RODGERS -**AYE**

HOFER -**AYE**

Motion carried and so ordered.

Public Hearing was opened at 9:30 am and continued to 2:30 pm due to Attorney calendaring conflict.

Motion by Hofer, second by Rodgers, to approve the minutes for April 19, 2024 and April 24, 2024.

CORBUS -**AYE**

RODGERS -**AYE**

HOFER -**AYE**

Motion carried and so ordered.

Motion by Hofer, second by Rodgers, to approve a Letter of Support for Prairie QRU.

CORBUS -**AYE**

RODGERS -**AYE**

HOFER -**AYE**

Motion carried and so ordered.

Motion by Hofer, second by Corbus, to approve the Catering Permit for Serve It Up, Inc dba Legends Sports Pub & Grill.

CORBUS -**AYE**

RODGERS -**AYE**

HOFER -**AYE**

Motion carried and so ordered.

Motion by Hofer, second by Rodgers, to approve Final Billing Letter to Conflict Public Defense Counsel.

CORBUS -**AYE**

RODGERS -**AYE**

HOFER -**AYE**

Motion carried and so ordered.

Motion by Hofer, second by Rodgers, to approve the letter to Ada County requesting an extension to the contract to dump trash in Ada County Landfill.

CORBUS -**AYE**

RODGERS -**AYE**

HOFER -**AYE**

Motion carried and so ordered.

Motion by Corbus, second by Rodgers, to approve the Affordable Funeral Supply Quote and authorize Nickie Campbell to purchase the rolling tables for the cooler in the amount of \$4,701.18.

CORBUS -**AYE**

RODGERS -**AYE**

HOFER -**AYE**

Motion carried and so ordered.

Josh Dison appeared before the Board to present the Annual Tax Exemptions.

Motion by Corbus, second by Rodgers, to approve the tax exemptions as presented excluding Community Council of Idaho and Glens Ferry Area Rural Health Clinic.

CORBUS -**AYE**

RODGERS -**AYE**

HOFER -**AYE**

Motion carried and so ordered.

Motion by Hofer, second by Rodgers, to deny tax exemption for First South Baptist Church of Mountain Home.

CORBUS -**AYE**

RODGERS -**AYE**

HOFER -**AYE**

Motion carried and so ordered.

Commissioner Hofer left the meeting for another appointment.

Motion by Corbus, second by Rodgers to approve the tax exemption for Richard McKenna Charter School.

CORBUS -**AYE**

RODGERS -**AYE**

HOFER -**ABSENT**

Motion carried and so ordered.

Motion by Rodgers, second by Corbus, to approve tax exemption for Prince of Peace Ministries Church

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

Motion by Rodgers, second by Corbus, to approve tax exemption for Desert Wind Homes, LLC.

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

Motion by Corbus, second by Rodgers, to deny tax exemption for Leap Charities, Inc.

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

Motion by Corbus, second by Rodgers, to recess as the Board of County Commissioners and convene as the Board of Equalization.

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

Motion by Corbus, second by Rodgers, to approve the Casualty Loss Application on MHTR0000492000.

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

Motion by Corbus, second by Rodgers, to recess as the Board of Equalization and reconvene as the Board of County Commissioners.

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

Motion by Corbus, second by Rodgers, to go into Executive Session pursuant to I.C. 74-206(1)(f) to discuss pending litigation. Roll call was taken.

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

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

Steve Van Norman appeared before the Board to request approval of Cerium Networks Quote.

Motion by Rodgers, second by Corbus, to approve the Cerium Networks Quote and authorize Steve Van Norman to sign on behalf of the County.

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

Mitra Mehta-Cooper appeared before the Board to discuss Impact Fee Advisory Committee Annual meeting.

Alan Roberts and Alyssa Alkire appeared before the Board to discuss a Collection Service Agreement between Elmore County and Commercial Acceptance Company.

Motion by Corbus, second by Rodgers, to approve the Collection Service Agreement between Elmore Ambulance Service and Commercial Acceptance Company and authorize Alan Roberts to sign on behalf of the County.

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

Commissioner Hofer rejoined the meeting at 10:55 a.m.

Russ Duke, Brent Copes, Betty Ann Nettleton and Fran Stevens appeared before the Board to review FY2025 Proposed Budget for Central District Health.

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

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

Motion by Corbus, second by Hofer, to go into Executive Session pursuant to I.C. 74-206(1)(f) to discuss pending litigation. Roll call was taken.

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

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

Motion by Hofer, second by Rodgers, to approve Economic Development Professional Grant Match Letter.

CORBUS -**AYE**
RODGERS -**AYE**
HOFER -**AYE**

Motion carried and so ordered.

Teresa McCallum appeared before the Board to discuss Broadband for Glenns Ferry. Mike Ricks and Aaron Lazenby with Anthem also appeared.

Motion by Hofer, second by Corbus, to approve Economic Development Professional Grant Match Letter.

CORBUS -**AYE**
RODGERS -**AYE**
HOFER -**AYE**

Motion carried and so ordered.

The Board convened outside for a Proclamation Ceremony in Support of Military Caregivers

Motion by Hofer, second by Corbus, to approve the payroll for April 30, 2024.

CORBUS -**AYE**
RODGERS -**AYE**
HOFER -**AYE**

Motion carried and so ordered.

Motion by Hofer, second by Corbus, to approve the Amendment to Professional Services Agreement between Elmore County and ETS Management.

CORBUS -**AYE**
RODGERS -**AYE**
HOFER -**AYE**

Motion carried and so ordered.

Motion by Corbus, second by Hofer, to approve the Certificate of Residency applications.

CORBUS -**AYE**
RODGERS -**AYE**
HOFER -**AYE**

Motion carried and so ordered.

Motion by Hofer, second by Corbus, to approve the Payroll for April 30, 2024.

CORBUS -**AYE**
RODGERS -**AYE**
HOFER -**AYE**

Motion carried and so ordered.

Motion by Hofer, second by Corbus, to approve the expenses in the amount of \$243,262.02.

Justice Fund	\$ 27,666.08
Current Expense	\$ 55,716.95
Indigent/Pension	\$ 3,863.75
District Court	\$ 14,467.09
Ambulance District	\$ 8,508.61

Pest Abatement District	\$ 3,058.00
Juvenile Tobacco Tax Grant	\$ 535.95
E-911	\$ 1,721.05
Fair	\$ 1,941.81
Solid Waste	\$ 117,187.74
ARPA Funds	\$ 8,594.99
CORBUS	-AYE
RODGERS	-AYE
HOFER	-AYE

Motion carried and so ordered.

Further Discussion was held regarding Landfill Equipment.

Motion by Corbus, second by Rodgers, to authorize Al Hofer to proceed with the purchase of equipment for the Landfill not to exceed \$1,000,000.00.

CORBUS	-AYE
RODGERS	-AYE
HOFER	-AYE

Motion carried and so ordered.

Public Hearing regarding Request for Reconsideration of Decision on Second Amendment to the Cat Creek Energy Development Agreement that was opened at 9:30 am and continued to 2:30 pm began at 2:30 p.m. Present at the meeting were Abbey Germaine– Counsel for Elmore County, Dylan Lawrence – Counsel for Elmore County, Mitra Mehta-Cooper – Elmore County Land Use Director and Terri Pickens, Counsel for Cat Creek Energy, LLC. Mitra Mehta-Cooper provided a Staff Update. Abbey Germaine provided recommendations to the Board. Terri Pickens spoke on behalf of Cat Creek Energy, LLC. No members of the Public signed in to speak In Favor or Neutral. Mike Mulder, Harry Taggart, Tim Bondy, Kim Thompson, Jessie Jarvis and Wendi Combs signed In Opposition but did not wish to speak.

Public Hearing Closed at 2:52 p.m.
Deliberations were held.

Motion by Hofer, second by Corbus, to grant the reconsideration and move the deadline within Section 1.1. of the Development Agreement from the previously determined October 17, 2026 to June 14, 2027.

CORBUS	-AYE
RODGERS	-NAY
HOFER	-AYE

Motion carried and so ordered.

Motion by Hofer, second by Corbus, to allow Cat Creek Energy on or before June 14, 2027 to come before the Board and seek a further 2 year extension based on the terms and conditions under Section 1.1.

CORBUS	-AYE
RODGERS	-NAY

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

Motion by Hofer, second by Corbus, to deny request to change the language of Section 2.2.

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

Staff and Counsel to prepare Findings of Fact, Conclusions of Law and Order.

Recess taken at 3:16 pm

Back on record at 3:28 pm

Motion by Corbus, second by Rodgers, to go into Executive Session pursuant to I.C. 74-206(1)(f) to discuss pending litigation. Roll call was taken.

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

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

Abbey Germaine – Counsel for Elmore County, David Abrahamson – Planner Land Use, Elizabeth Allen Contract Planner for Elmore County appeared before the Board to discuss a request for Site Advisory Committee for Simplot CAFO. Scott McNeely and David Moody with Simplot were present at the meeting.

Motion by Hofer, second by Rodgers, to authorize Land Use to proceed with the Simplot CAFO CUP process without a Site Advisory Committee.

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

Motion by Corbus, second by Hofer, to adjourn.

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

/S/ FRANKLIN L. CORBUS, Chairperson

ATTEST: /S/ SHELLEY ESSL, Clerk