

REGULAR SESSION, APRIL 4, 2008

Chairman Faulkner convened the regular session with Commissioner Williams, Commissioner Edwards and the Clerk, Denise Gill present.

INDIGENT

Commissioner Faulkner moved to go into an executive session pursuant to IC§31-874 for indigent appeal hearing and to consider indigent matters. Commissioner Williams seconded the motion. Roll call vote: Edwards– Aye, Williams – Aye, Faulkner – Aye. Linda Leguineche Assistant Director and John Horgan, Deputy Prosecuting Attorney joined the meeting to review indigent cases and appeal hearings. The board vacated executive session and returned to regular session at 12:50 p.m.

PLANNING AND ZONING

The Board reviewed a map of a tract of land in the Bliss area. Discussion was regarding IC§50-1314 and requirement to plat.

Commissioner Edwards moved to adjourn meeting. Commissioner Faulkner seconded motion. Motion carried.

/s/Helen P. Edwards, Commissioner

/s/Terrell Williams, Commissioner

/s/Tom Faulkner, Chairman

Attest: /s/Denise M. Gill, Clerk

REGULAR SESSION, APRIL 7, 2008

The regular session convened with Commissioner Williams, Commissioner Edwards and the Clerk, Denise Gill present. Commissioner Williams moved to appoint Commissioner Edwards as acting Chair. Commissioner Edwards seconded the motion. Motion carried.

EXECUTIVE SESSION

Commissioner Edwards moved to go into executive session pending legal matters pursuant to IC67-2345(f). Commissioner Williams seconded the motion. Roll call vote: Edwards – Aye, Williams – Aye. Commissioner Faulkner joined the meeting and resumed the chairperson duties. The Board vacated executive session at 10:40 a.m.

PLANNING AND ZONING

Judy Davis, P&Z Administrator and Richard Bigelow, Building Inspector, joined the meeting. Ms. Davis reported on the Planning and Zoning's regular meeting and workshop on the Comprehensive Plan. The P&Z's Commission would like to have the input from the Board on what areas they foresee as agriculture, industrial, commercial, recreation and residential of the county. Judy presented a letter from Mr. Lothspeich requesting a year extension from Mr. Waite to be in compliance. The Board agreed to give Mr. Waite an extension to May 24, 2008. Judy stated the CAFO compliance officer inspected the Dalton Dairy. He found that the Dalton's only run about 40 cows and does not have an actual dairy. Judy will contact them to confirm their intent to use their CAFO permit. Phil Brown joined the meeting. Discussion was directed to an area in Bliss that is in question. Judy presented a map that showed the original parcel in 1976 and various splits that have occurred.

DISASTER SERVICES

Members from the Idaho Bureau of Homeland Security and Lori Capps joined the meeting. The group discussed the contract for conduit in Gooding County. The project is to be paid by Homeland Security Grant monies. John Horgan, Deputy Prosecuting Attorney recommended that the contract should state Gooding County is not responsible for payment if grant funds are not available and that the agreement should specify exactly the responsibility of each entity. The Board had approved the grant contract previously for this project. Chairman Faulkner expressed that he felt confident that funding will be there and the County is at minimal risk. Commissioner Faulkner moved sign the contract with Syringa for conduit in Gooding County. Commissioner Edwards seconded motion. Motion carried.

COUNTY SURPLUS PROPERTY

Commissioner Edwards moved to declare the Pitney Bowes postage machine, Microfilm reader and Sharp copy machine surplus, whereas, they have no value. Commissioner Williams seconded motion. Motion carried.

AMBULANCE DISTRICT- AIR ST. LUKES AGREEMENT

Commissioner Edwards moved to sign the agreement with St. Luke's for ground ambulance support. Commissioner Faulkner seconded the motion. Motion carried.

CSI-OFFICE OF AGING

The College of Southern Idaho, Office of Aging, requested the Board to consider appointing a Board of Community Guardians. The Board requested that someone from CSI, Office of Aging, give a presentation.

GOODING SOIL CONSERVATION DISTRICT

Kay Hults, Bob Bolte and Joe Pavkov from the Gooding Soil Conservation District presented their annual report. Their accomplishments included the Water Quality Project, Bliss Nitrate Project , EQIP and many other community projects. Steve Thompson from the NRCS joined the meeting. Ms. Hults highlighted the planned projects and activities for 2008/2009. The GSCD is asking for \$4,500 in the FY09 budget the states FY10. The Board agreed to fund \$4,000.00 of their request and would consider the additional \$500.00 during the budget process.

REGIONAL JAIL

The Board reviewed the proposed contract from Rocky Mountain Corrections. Mr. Horgan, Gooding County Deputy Prosecutor expressed his desire to see more specific details in the contract. He highlighted several areas of concern.

EMS – KELLY

Ms. L. Kelly appeared before the Board to request relief on her past due EMS account. The Board had previously offered to Ms. Kelly a 36% reduction on her account with regular \$100.00 payments. Ms. Kelly has only made one \$25.00 payment to date. Ms. Kelly explained that she is unemployed and cannot find a job in spite of her education and experience. She also

stated that she has applied for disability several times. Chairman Faulkner suggested that the Board revisit with Ms. Kelly on her employment situation and her ability to pay in three months. They asked Ms. Kelly to contact them in person or mail in three months. The county will hold off collection procedures until then. Ms. Kelly expressed that she could have hired a limo for the entire day for amount of her bill. Chairman Faulkner reminded Ms. Kelly that her limo would not be staffed with medically trained personnel and immediately available at her request. Ms. Kelly offered to pay \$250.00 if the Board would write off the rest. Chairman Faulkner stated the very least they would accept is \$500.00 if paid in full. Chairman Faulkner explained to Ms. Kelly that Gooding County EMS fees are the lowest in the region. Ms. Kelly stated that she would continue efforts to insure fair and reasonable ambulance fees, even if she has to go after one of the Commissioner positions. Mr. Horgan, Deputy Prosecutor, suggested that she attend the Ambulance District annual budget hearing.

EXECUTIVE SESSION – LEGAL MATTERS

Commissioner Edwards moved to go into executive session regarding legal matters pursuant to IC67-2345(f). Commissioner Williams seconded motion. Roll call vote: Edwards – Aye, Williams – Aye, Faulkner – Aye. The Board vacated executive session at 3:35 p.m.

INDIGENT

Commissioner Williams moved to go into an executive session pursuant to IC§31-874 to consider indigent matters. Commissioner Edwards seconded the motion. Roll call vote: Edwards– Aye, Williams – Aye, Faulkner – Aye. Beverly Johannsen, County Services Director, Linda Leguineche Assistant Director and John Horgan, Deputy Prosecuting Attorney joined the meeting to review indigent cases and claims. The board vacated executive session and returned to regular session at 5:30 p.m. Commissioner Williams moved to deny 08-2-3278, 08-2-3277, 08-3-3284, 08-3-3287 and 08-3-3290. Commissioner Edwards seconded motion. Motion carried.

ORDINANCE 95

Commissioner Faulkner opened the public hearing for Ordinance 95, zoning the area in that was de-annexed from the City of Wendell. No comments were received whereas no persons from the public attended the hearing. The hearing was closed. Commissioner Edwards moved to adopt Ordinance 95. Commissioner Williams seconded the motion. Motion carried.

ORDINANCE 95

This is a summary of Ordinance 95. Full copy is available in the office of the Gooding County Clerk.

AN ORDINANCE ESTABLISHING ZONING DISTRICT DESIGNATIONS FOR CERTAIN PARCELS OF REAL PROPERTY LOCATED IN SECTION 34, TOWNSHIP 7 SOUTH, RANGE 15 EAST, BOISE MERIDIAN, GOODING COUNTY, IDAHO, WHICH REAL PROPERTY HAS BEEN APPROVED FOR DE-ANNEXATION FROM THE CITY OF WENDELL; CONFIRMING THE EXISTING ZONING MAP WHICH IS PART OF GOODING COUNTY ZONING ORDINANCE NO. 78; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF GOODING COUNTY, IDAHO, AS FOLLOWS:

Section 1. Authority and Purpose. This ordinance is adopted pursuant to the authority granted by the Local Land Use Planning Act, Idaho Code § 67-6501, *et seq.* The purpose of this ordinance is to immediately establish zoning district designations for the above- described real property (Tracts A, B and C), approved for de-annexation by the City of Wendell on December 27, 2006, to give Gooding County the authority, upon the effective date of this Ordinance, to regulate or control the use and development of the above-described tracts in accordance with the goals, objectives and purposes of the Gooding County Comprehensive Plan and the purposes and requirements of the Gooding County Zoning Ordinance all of which have been adopted to protect the health, safety and general welfare of the residents of Gooding County.

Section 2. Zoning District Designations. The zoning district designations for Tracts A and B shall be Residential (R-1) and the zoning district designation for Tract C shall be Commercial (C).

Section 3. Zoning Map Confirmed. The Official Zoning Map, adopted as part of the Gooding County Zoning Ordinance No. 78, is confirmed without amendment, since the zoning districts designations established in Section 2 above for the real property described herein are already shown on the Official Zoning Map.

Section 4. Effective Date. This ordinance shall be in full force and effect upon publication following passage and approval.

Passed and approved as an ordinance of Gooding County by the Gooding County Board of Commissioners this 7th day of April, 2008.

Passed and Approved

/s/ Tom Faulkner

Tom Faulkner, Chair

/s/ Helen Edwards

Helen Edwards

/s/ Terrell Williams

Terrell Williams

Attest:

/s/Denise Gill

Denise Gill, Clerk

Commissioner Edwards moved to adjourn meeting. Commissioner Williams seconded the motion. Motion carried.

/s/Helen P. Edwards, Commissioner

/s/Terrell Williams, Commissioner

/s/Tom Faulkner, Chairman

Attest:/s/Denise M. Gill, Clerk

REGULAR SESSION, APRIL 14, 2008

The regular session convened with Commissioner Williams, Commissioner Edwards and the Clerk, Denise Gill present. Commissioner Williams moved to appoint Commissioner Edwards as acting Chair. Commissioner Edwards seconded the motion. Motion carried.

DISASTER SERVICES

Lori Capps, Disaster Service Coordinator, presented the MOU from Homeland Security regarding the education grant and Idaho State University. Commissioner Williams moved to allow the Chair to sign the two MOU's. Commissioner Edwards seconded the motion. Motion carried.

PLANNING AND ZONING

John Horgan, Deputy Prosecuting Attorney, discussed an Attorney General's opinion from 1982 regarding the IC§50-1314. The group discussed requiring the landowners in the Bliss area to do a plat of all the present splits and any future splits will require a subdivision. Judy Davis presented the report reflecting the first half of FY08 building permits.

CLAIMS

Commissioner Williams moved to approve the claims. Commissioner Edwards seconded the motion. Motion carried.

General	185,467.23	Fair	2,913.57	Revaluation	1,211.78	Road & Br.	19.80
Ambulance	2,747.99	Public Health	5,646.17	Jr. College	92,350.00	Landfill	21,800.00
Dist.Court	7,060.07	Indigent	54,281.37	Weeds	963.88	Vet Mem	2,250.00
						TOTAL	364,595.70

Commissioner Edwards and Williams moved and seconded to recess for lunch. Motion carried.

INDIGENT

Commissioner Williams moved to go into an executive session pursuant to IC§31-874 to consider indigent matters. Commissioner Edwards seconded the motion. Roll call vote: Edwards– Aye, Williams – Aye,. Beverly Johannsen, County Services Director, Linda Leguineche Assistant Director and John Horgan, Deputy Prosecuting Attorney joined the meeting to review indigent cases and claims. The board vacated executive session and returned to regular session at 2:20 p.m. Commissioner Edwards moved to deny 08-3-3282 and 08-2-3280. Commissioner Williams seconded motion. Motion carried.

MINUTES

Commissioner Williams moved to approve the minutes from March 24, 2008. Commissioner Edwards seconded the motion. Motion carried.

Commissioner Edwards moved to adjourn meeting. Commissioner Williams seconded motion. Motion carried.

/s/Helen P. Edwards, Commissioner /s/Terrell Williams, Commissioner /s/Tom Faulkner, Chairman

Attest: /s/Denise M. Gill, Clerk

REGULAR SESSION, APRIL 28, 2008

Chairman Faulkner convened the regular session with Commissioner Williams, Commissioner Edwards and the Clerk, Denise Gill present.

IDAHO POWER

Dan Olmstead and Randy Hill from Idaho Power joined the meeting. Mr. Hill explained that there is a need to make areas of the power plant dams off limits to water recreation. Idaho Power is requesting the Board pass an ordinance prohibiting access and imposing a penalty. All the areas that are in Gooding County will need to be identified. Mr. Horgan expressed concern about the ownership, trespassing and the county's authority. Mr. Hill informed the Board that Idaho Power does not own any part of the waterways but they do have the authority to ensure safety.

PLANNING AND ZONING/BUILDING

Richard Bigelow, Building Inspector, joined the meeting. Mr. Bigelow explained that the City of Hagerman is no longer satisfied with their present Building Inspector and are interested in hiring Mr. Bigelow. Mr. Bigelow explained that Hagerman does have many available build lots. The group discussed the possibility of contracting with the City of Hagerman. The Board instructed Mr. Bigelow to have the City of Hagerman approach the Board on an agreement. Mr. Bigelow would like to have pole barn plans engineered. Agricultural buildings do not required building permit fees, but require a \$100.00 siting fee. The Board expressed to Mr. Bigelow that they were not interested in imposing engineering requirements on pole barns. Judy Davis, P&Z Administrator, presented minutes from the last P&Z Commission meeting. The Commission approved the Woodhead preliminary plat subdivision known as the Billingsly Creek Estate and the recommendation of approval to the Board. Commissioner Edwards moved to approve the preliminary plat of the Billingsly Creek Estate. Commissioner Williams seconded the motion. Motion carried.

TREASURER – TAX DEEDS

Treasurer Wines and Assessor Bauscher reviewed with the Board a situation on an illegal homeowner's exemption on RP W2000124009A A. Assessor Bauscher sent a letter to the property owner explaining that he was not eligible for a homeowner exemption. The owner relayed to the Assessor's office that he did live there. However, he uses an address in Washington and has not had any city services since 2005. Treasurer Wines reviewed delinquent parcels that are near tax deed. The Board requested the Treasurer go forward with the tax deed process on the two parcels that have not kept to their agreement. Treasurer Wines reviewed the Warrants of Destraint. She explained the Sheriff does not feel it is in his power to seize personal property. Treasurer Wines will present the list again after the June collection.

SOUTH CENTRAL PUBLIC DISTRICT HEALTH

A group from the South Central Public Health District presented the proposed FY09 budget. They reviewed their estimated expenditures and estimated income. Funds from all the counties in the district are estimated at \$1,011,668.00. The report included benefit of services provided to Gooding County.

WENDELL HOUSING

Debbie Mink, from Wendell Housing, and Patty Bauscher, Assessor, requested an exemption from property taxes whereas their organization is a non-profit and provides low-income housing. Commissioner Edwards moved to recess the regular session and open the Board of Equalization. Commissioner Williams seconded the motion. Motion carried. Commissioner Williams moved to approve the application to exempt the Wendell Housing Authority from property taxes. Commissioner Edwards seconded the motion. Motion carried. Commissioner Williams and Commissioner Edwards moved and seconded to recess the Board of Equalization and reopen the regular session. Motion carried.

INDIGENT – BURIALS

Commissioner Edwards reported that she had visited with the Gooding Cemetery District regarding the unclaimed cremations. The cemetery district offered to allow the Board to put 18 remains per plot. Commissioner Williams researched IC§54-1142 which indicated that after 40 days from the death the remains could be disposed. The Board felt that this was the best way to handle unclaimed cremations. The Board will work on the details.

INDIGENT

Commissioner Williams moved to go into an executive session pursuant to IC§31-874 to consider indigent matters. Commissioner Edwards seconded the motion. Roll call vote: Edwards– Aye, Williams – Aye, Faulkner – Aye. Beverly Johannsen, County Services Director, Linda Leguineche Assistant Director and John Horgan, Deputy Prosecuting Attorney joined the meeting to review indigent cases and claims. The board vacated executive session and returned to regular session at 5:00 p.m. Commissioner Williams moved to deny 07-12-3254, 07-12-3255, and 03-8-3289. Commissioner Edwards seconded motion. Motion carried.

MINUTES

Commissioner Faulkner moved to approve the minutes from April 4, 2008, April 7, 2008 and April 14, 2008. Commissioner Edwards seconded the motion. Motion carried.

AGREEMENTS

Commissioner Edwards moved to sign the contract with Behavioral Health Center. Commissioner Williams seconded the motion. Motion carried.

EMS-AMBULANCE DISTRICT

Commissioner Edwards moved to allow Denise Gill to sign grant requests on behalf Gooding County Ambulance District. Commissioner Faulkner seconded the motion. Motion carried.

Commissioner Edwards moved to adjourn meeting. Commissioner Faulkner seconded motion. Motion carried.

/s/Helen P. Edwards, Commissioner

/s/ Terrell Williams, Commissioner

/s/Tom Faulkner, Chairman

Attest/s/Denise M. Gill, Clerk