

REGULAR SESSION, MAY 18, 2007

Chairman Faulkner convened the regular session with Commissioner Williams, Commissioner Edwards and the Deputy Clerks, Beverly Johannsen and Linda Leguineche present.

INDIGENT

Commissioner Williams moved to go into an executive session pursuant to IC§31-874 to consider indigent matters and appeal hearings. Commissioner Edwards seconded the motion. Roll call vote: Edwards– Aye, Williams – Aye, Faulkner – Aye. Beverly Johannsen, County Services Director and Linda Leguineche Assistant Director joined the meeting to review indigent cases and claims. The board vacated executive session and returned to regular session.

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

Helen P. Edwards, Commissioner

Terrell Williams, Commissioner

Tom Faulkner, Chairman

Attest: _____
Denise M. Gill, Clerk

SPECIAL SESSION, MAY 21, 2007

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

BUDGET

The Board met with Elected Officials and Department Heads to discuss fiscal year 2008 Budget requests.

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

Helen P. Edwards, Commissioner

Terrell Williams, Commissioner

Tom Faulkner, Chairman

Attest: _____
Denise M. Gill, Clerk

REGULAR SESSION, JUNE 1, 2007

Chairman Faulkner convened the regular session with Commissioner Williams, Commissioner Edwards and the Deputy Clerks, Beverly Johannsen and Linda Leguineche present.

INDIGENT

Commissioner Williams moved to go into an executive session pursuant to IC§31-874 to consider indigent matters and appeal hearings. Commissioner Edwards seconded the motion. Roll call vote: Edwards– Aye, Williams – Aye, Faulkner – Aye. Beverly Johannsen, County Services Director and Linda Leguineche Assistant Director joined the meeting to review indigent cases and claims. The board vacated executive session and returned to regular session. Commissioner Williams moved to deny 07-4-3154. Commissioner Edwards seconded the motion. Motion carried.

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

Helen P. Edwards, Commissioner

Terrell Williams, Commissioner

Tom Faulkner, Chairman

Attest: _____
Denise M. Gill, Clerk

REGULAR SESSION, JUNE 4, 2007

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

MINUTES

Commissioner Williams moved approve the minutes from May 7, 2007 and May 14, 2007. Commissioner Edwards seconded the motion. Motion carried.

BLM-AGREEMENT

Commissioner Edwards moved to allow the Chairman to sign the Cooperative Agreement No. DLA030218 with the Bureau of Land Management. Commissioner Williams seconded the motion. Motion carried.

CAFO – COMPLIANCE OFFICER

Jade Robinson joined the meeting. The group discussed the responsibilities of the Compliance Officer. The Board explained that the job is not a fulltime position.

PLANNING AND ZONING

The Board reviewed letters of interest for the vacancy on the Planning and Zoning Commission. Commissioner Edwards moved to appoint Terry Ruby to fill the remainder of Suzanne Jensen’s term to September 2012 on the Planning and Zoning Commission. Commissioner Williams seconded the motion. Motion carried.

GOECKNER APPEAL HEARING DISCUSSION AND DECISION

Discussion regarding the Goeckner Appeal Hearing was postponed to the next meeting.

ROSA JUDICIAL REVIEW DECISION – DISCUSSION-EXECUTIVE SESSION

Commissioner Edwards moved to go into executive session pursuant to IC§67-2345 (f). Commissioner Williams seconded the motion. Roll call vote: Edwards– Aye, Williams – Aye, Faulkner – Aye. The Board permitted Judy Stockham and her attorney Joe James to join the meeting. The Board vacated executive session and returned to regular session at 1:55 P.M.

SOIL CONSERVATION DISTRICT

Members of the Soil Conservation District and RC&D joined the meeting. The group discussed the Bliss Nitrate Project, Siting Team and Nutrient Management Plans.

INDIGENT

Commissioner Edwards moved to go into an executive session pursuant to IC§31-874 to consider indigent matters. Commissioner Williams seconded the motion. Roll call vote: Edwards– Aye, Williams – Aye, Faulkner – Aye. Beverly Johansen, County Services Director and Linda Leguineche Assistant Director joined the meeting to review indigent cases and claims. The board vacated executive session and returned to regular session at 11:40 a.m. Commissioner Williams moved to deny 07-5-3165, and 07-4-3159. Commissioner Edwards seconded motion. Motion carried.

HEARING DATE

Public hearing to Amended Mid-Snake Water Quantity and Economic sections of the Coordinated Water Resource Management Plan is scheduled for July 2, 2007 at 3:30 p.m.

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

The reconvened at 6:00 p.m. to conduct a public hearing on the proposed CAFO Ordinance.

CAFO ORDINANCE – PUBLIC HEARING

Chairman Faulkner opened the public hearing at the Gooding High School Multi use room with Commissioner Williams, Commissioner Edwards and the Clerk, Denise Gill present. The public presented testimony regarding the proposed CAFO Ordinance.

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

Helen P. Edwards, Commissioner

Terrell Williams, Commissioner

Tom Faulkner, Chairman

Attest: _____
Denise M. Gill, Clerk

REGULAR SESSION, JUNE 11, 2007

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

CLAIMS

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

General	123,504.49	Fair	1,628.08	Revaluation	131.52	Road & Br.	117.81
Ambulance	6,265.34	Public Health	5,689.42	Jr. College	4,250.00	Landfill	145,059.00
Dist.Court	8,358.40	Indigent	17,104.31	Weeds	1,860.01	Total	314,064.80
Waterways	96.38						

TREASURER-TAX CANCELLATION

Commissioner Edwards moved to allow the tax cancellation on RP05S15E310788 for \$260.98. Commissioner Williams seconded the motion. 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, Faulkner – Aye. Beverly Johannsen, County Services Director and Linda Leguineche Assistant Director joined the meeting to review indigent cases and claims. The board vacated executive session and returned to regular session at 11:40 a.m. Commissioner Williams moved to deny 07-5-3164. Commissioner Edwards seconded motion. Motion carried.

PLANNING AND ZONING

Judy Davis, P&Z Administrator, joined the meeting. Judy reviewed May 21, 2007 meeting of the Planning & Zoning Commission with the Board.

The Board recessed for lunch.

GOECKNER – APPEAL HEARING DECISION & FINDINGS OF FACT

The Board reviewed and approved the prepared findings of facts for the Goeckner Appeal Hearing. The Board upheld the Planning & Zoning Commission’s decision to deny Mr. Goeckner’s request.

MINUTES

Commissioner Edwards moved to approve the minutes from May 18, 2007, May 21, 2007, June 1, 2007 and June 4, 2007. Commissioner Williams seconded the motion. Motion carried.

COMPUTERS

Shelly Hayden and representatives from Computer Arts, Inc. joined the meeting to discuss the purchase of a server that would allow title companies to sign into the County’s computer system to retrieve recording and tax data. The Board agreed to install a server at \$4,500.00. Additional costs will be for licenses and the computer tech. The Board set the fees for access to data; \$320.00 initial installation and \$150.00 per month – paid annually.

WENDELL AND HAGERMAN FIRE DISTRICT ANNEXATIONS

Commissioner Faulkner moved to sign Order of Annexation for the Wendell Rural Fire District and the Hagerman Fire District. Commissioner Edwards seconded the motion. Motion carried.

SOUTHERN IDAHO TOURISM

Debbie Danes, Executive Director from the Southern Idaho Tourism and David Parish requested the Board’s support for the Thousand Springs Scenic Byway. They will be placing a kiosk in the City of Bliss illustrating points of interest along the Thousands Springs Scenic Byway. Ms. Danes requested assistance from the county for the in-kind match; cement, erecting and building a roof over the kiosk. The Board explained that the county has limited equipment, but would try to support their efforts.

RESOLUTION NO. 07-06-11

Commissioner Edwards moved to adopt resolution 07-06-11. Commissioner Williams seconded the motion. Motion carried.

RESOLUTION NO. 07-06-11

**A RESOLUTION OF THE BOARD OF GOODING COUNTY COMMISSIONERS
ADOPTING THE THOUSAND SPRINGS SCENIC BYWAYCORRIDOR MANAGEMENT PLAN -2007**

WHEREAS, the Thousand Springs Scenic Byway, extending from Bliss to Hansen is an important roadway and visitor amenity within the Magic Valley and Idaho; and

WHEREAS, the Thousand Springs Byway Advisory Committee represents a partnership of local, state and federal agencies and property and business owners within the byway area in a shared mission to promote appreciation of the cultural, historic, wildlife, and scenic qualities of the Thousand Springs Scenic Byway and to develop sensitive and appropriate economic development opportunities along the Byway; and

WHEREAS, the Thousand Springs Scenic Byway Advisory Committee was the leader in the preparation of the Corridor Management Plan in association with professional planning and engineering consultants; and

WHEREAS, public meetings were held on February 12, 13, and 15, 2007 to review and comment on the Corridor Plan; and

WHEREAS, the Board of Gooding County Commissioners finds that the Corridor Management Plan should be adopted; and

NOW THEREFORE BE IT RESOLVED that the Thousand Springs Scenic Byway Corridor Management Plan, 2007 is adopted.

Board of Gooding County Commissioners

/s/Tom Faulkner
Tom Faulkner, Chairman

/s/Helen P. Edwards
Helen P. Edwards, Commissioner

/s/Terrell Williams
Terrell Williams, Commissioner

Attest: /s/Denise Gill
Denise Gill, Clerk

BUILDING INSPECTOR

Terry Platts joined the meeting. He reviewed his credentials and recent jobs that he has been involved. He furthered explained that were accusations in the newspaper regarding the wrestling room built at the Gooding High School. He claims the information was false and he maybe seeking legal remedy. He further stated he is a propionate that growth should pay for growth. Mr. Platts felt that fees for building permits should be increased. There is an estimate of 160 permits per year with seven required inspections per permit. He would like to be considered for the position of the building inspector. If he is selected, he will make a number of changes. He also feels that building inspector should be a separate department and not under the Planning & Zoning. The departments would work cooperatively, but separated administratively. He would like to report only to the Board. He stated he comes from a corporate world and is not familiar with government. Commissioner Faulkner explained that not all the builders in the county are contractors and he would be working with individuals building on there own. He stated he was very strict and by the book. Mr. Platts is on the City of Gooding Planning and Zoning; Ms Davis questioned if this would be a conflict of interest. Mr. Platts did not think so, but would give Mayor Morton a resignation and leave it up to him as whether or not to accept it. He would like to work for 2-3 years and have at least a year to train his replacement.

BUSMAN APPEAL – FINDINGS OF FACT AND DECISION

The Board reviewed the prepared Findings of Fact for the Busman Appeal from earlier discussion on May 7, 2007. Commissioner Faulkner asked for any changes in the prepared Findings of Fact. Commissioner Edwards and Commissioner Williams moved and seconded to uphold to the Gooding Planning and Zoning decision to deny the Busman Application. Motion carried. Mr. Lothspeich questioned why they were not notified when the Board deliberated on the appeal hearing. Chair Faulkner explained that did not take any new testimony and that it was a posted open meeting.

DISTRICT COURT BUDGET

Linda Wright, Dist 5 Trial Court Administrator joined the meeting to discuss the FY08 District Court Budget. Ms. Wright reminded the Board that each county would need to budget for our bailiffs to attend POST specific training. The group discussed upgrading the jury room; carpet, sink, refrigerator, chairs and windows. The Board agreed to have a new sink, refrigerator and cabinets installed. They felt that the carpet maybe dated but was in good repair and did not need to be replaced. They also discussed a well rail for security purposes. Linda Wright had explained that in Twin Falls they had removed the doors off the well rail in one courtroom and replaced the rail with a rope in another. The Clerk will look into replacing the chairs in the jury box or in the jury room.

CAFO – ORDINANCE

Paul Kroeger, Judy Davis and Lori Capps joined the meeting to review the proposed CAFO ordinance. The group discussed the testimony from the public hearing and items of issue. Language changes in the proposed CAFO ordinance, for clarification, were discussed.

Commissioner Williams and Commissioner Edwards moved and seconded to recess the meeting and reconvene to 4:00 p.m. tomorrow (Tuesday, June 12, 2007). Motion carried.

Helen P. Edwards, Commissioner

Terrell Williams, Commissioner

Tom Faulkner, Chairman

Attest: Denise M. Gill, Clerk

JUNE 12, 2007 – CONTINUATION JUNE 11, 2007

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

ORDINANCE 90

Commissioner Edwards moved to adopt Ordinance #90. Commissioner Williams seconded the motion. Motion carried.

**CAFO
ORDINANCE NO. 90**

AN ORDINANCE DEFINING AND ESTABLISHING STANDARDS FOR CONFINED ANIMAL FEEDING OPERATIONS (CAFOs); PROVIDING A TITLE, PURPOSE, INTERPRETATION, SEVERABILITY, REPEALER AND ENACTMENT; PROVIDING DEFINITIONS; CONFIRMING THE RIGHTS AND ESTABLISHING REQUIREMENTS FOR EXISTING CAFOs; REQUIRING SITING PERMITS FOR NEW AND EXPANDING CAFOs;

DESCRIBING THE CONTENTS OF APPLICATIONS FOR SITING PERMITS; EXPLAINING THE APPLICATION AND HEARING PROCESS; DEFINING THE CRITERIA FOR APPROVAL OF SITING PERMITS; ALLOWING FOR VARIANCE; DESCRIBING THE PROCEDURE FOR THE GRANTING OR DENIAL OF SITING PERMITS; REQUIRING OCCUPANCY CERTIFICATES AND SETTING FORTH THE PROCESS TO OBTAIN OCCUPANCY CERTIFICATES; ESTABLISHING OPERATING CRITERIA FOR CAFOS; ESTABLISHING REQUIREMENTS FOR DISCONTINUED CAFOS; PROVIDING FOR APPEAL; PROVIDING FOR ENFORCEMENT; AND PROVIDING AN EFFECTIVE DATE.

This is a summary of Ordinance 90. The complete copy of Ordinance 90 is on file in the office of the Gooding County Clerk.

Board of Gooding County Commissioners

/s/Tom Faulkner
Tom Faulkner, Chairman

/s/Helen P. Edwards
Helen P. Edwards, Commissioner

/s/Terrell Williams
Terrell Williams, Commissioner

Attest: /s/Denise Gill
Denise Gill, Clerk

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

Helen P. Edwards, Commissioner

Terrell Williams, Commissioner

Tom Faulkner, Chairman

Attest: _____
Denise M. Gill, Clerk

REGULAR SESSION, JUNE 25, 2007

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

IDAHO STATE DEPARTMENT OF AGRICULTURE

The Board discussed the meeting with the Idaho State Department of Agriculture held on June 22, 2007. Director Gould, Marv Patton, and Dr. Ledbetter represented the ISDA in a panel discussion with County Commissioners and Planning and Zoning members from Gooding, Jerome and Twin Falls Counties. ISDA answered questions regarding their enforcement on dairies.

CAFO COMPLIANCE

Jade Robinson joined the meeting to present information on taking photographs with a self-guided plane. The Board expressed an interest in contracting with Mr. Robinson for services and photographs. Mr. Robinson will be return with a proposal.

EXECUTIVE SESSION

Executive session on the agenda was cancelled at the request of employee, Scott Thompson.

PLANNING AND ZONING

Judy Davis, P&Z Administrator and Paul Kroeger, Deputy Prosecuting Attorney, joined the meeting. The group discussed the need for better interagency communication and cooperation with the Idaho Department of Agriculture and the county. Judy reported on the number of permitted CAFO's in Gooding County. The fees in Planning and Zoning have not been increased since 1995. The Board requested that the Judy prepare a proposal for new fees.

DON GILL – FAIR MATTERS

Commissioner Edwards moved to declare, Thursday, August 16, 2007 “Tough Enough to Wear Pink Day”. Commissioner Williams seconded the motion. Motion carried. “Tough Enough to Wear Pink” is a nationwide campaign for breast cancer awareness. The Gooding County Fair and Pro Rodeo will be raising funds for breast cancer prevention and awareness for citizens in Gooding County.

PERSONNEL MANUAL

Denise Gill, County Clerk and Patty Bauscher, County Assessor presented the revised personnel manual. The group discussed the changes. The board will review the document and return with any changes at the next meeting. Personnel manual committee was made up of Elected Officials, Department Heads and employees.

LIQUOR LICENSE –SWEET INSPIRATIONS AND KLI-MAN ENTERRISES

Commissioner Williams moved to approve Liquor License to sell retail and consumed beer and wine for Christian Stephenson doing business as Sweet Inspiration. Commissioner Edwards seconded the motion. Motion carried. Commissioner Edwards moved to approve the transfer of the beer and wine license from Chappel's to Kli-Man Enterprises. Commissioner Williams 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.

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 and Linda Leguineche Assistant Director joined the meeting to review indigent cases and claims. The board vacated executive session and returned to regular session at 4:30 p.m. Commissioner Williams moved to deny 07-6-3174, 07-6-3175, 07-6-3176. Commissioner Edwards seconded motion. Motion carried.

BOARD OF EQUALIZATION

Assessor Bauscher presented the occupancy and the net market value rolls. Commissioner Faulkner opened the Board of Equalization to hear the appeals of valuations. Wilbur Farnworth appealed his valuation on his property and residences located at 2352 Ritchie Rd, T6S R14E Sec. 31, Tax 10 in Lot 3 13 W. The Board heard testimony from Mr. Farnworth, Linda Garrett, Gooding County Appraiser, Patty Bauscher, Gooding County Assessor and Paul Kroeger, Deputy Prosecutor. Commissioner Edwards moved to uphold the valuation on Mr. Farnworth property as assessed by the Gooding County Assessors Office. Commissioner Williams seconded the motion. Motion carried. Chairman Faulkner closed the Board of Equalization.

E-911 – SIRCOMM

The Board reviewed the prepared billing for FY2008 for the agencies in Gooding County. The Board approved not to raise the fee more than five percent increase over the highest of the last three years for FY2008.

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

Helen P. Edwards, Commissioner

Terrell Williams, Commissioner

Tom Faulkner, Chairman

Attest: _____
Denise M. Gill, Clerk