

## **DECEMBER 3, 2007 REGULAR SESSION**

Chairman Faulkner convened the regular session with Commissioner Williams, Commissioner Edwards, Diane Houser Deputy Clerk and John Horgan Deputy Prosecuting Attorney present.

### **PLANNING & ZONING**

Judy Davis, P&Z Administer, John Horgan, Deputy Prosecuting Attorney, Richard Bigelow, Lonnie LeaVell and Debie Infanger met with the board regarding the City of Gooding Impact Area Recommendations. Judy presented the board with four recommendations. Commissioner Faulkner made the motion to set the hearing date for December 21, 2007 and 4 p.m. to be held at the P&Z office. Commissioner Edwards second motion. Motion carried. Commissioner Faulkner made a motion to set the deliberation of December 26, 2007 at 10 a.m. Commissioner Edwards second motion. Motion carried. Judy Davis discussed other P&Z matters with the board.

### **EXECUTIVE SESSION**

Commissioner Edwards moved to go into an executive session pursuant to IC§67-2345 (f) to consider legal matters. Commissioner Williams seconded the motion. Roll call vote: Edwards – Aye, Williams – Aye, Faulkner – Aye. Judy Davis, Richard Bigelow and John Horgan, Deputy Prosecuting Attorney joined the meeting. The board vacated executive session and returned to regular session at 11:00 a.m. Commissioner Edwards seconded the motion. Motion carried.

### **EXECUTIVE SESSION**

Commissioner Edwards moved to go into an executive session pursuant to IC§67-2345 (f) to consider legal matters. Commissioner Williams seconded the motion. Roll call vote: Edwards – Aye, Williams – Aye, Faulkner – Aye John Horgan Deputy Prosecuting Attorney joined the meeting. The board vacated executive session and returned to regular session at 11:15 a.m. .

### **PROBATION FEES**

John Horgan, Deputy Prosecuting Attorney met with the board regarding a new Probation Fee Resolution. Board decided to meet on December 10, 2008 to discuss the fees.

### **LIQUOR LICENSE**

Commissioner Edwards made a motion to sign liquor license renewals as presented. Commissioner Williams second the motion. Motion carried. Larry & Mary's Restaurant, New Chine House, Rowdy's Pub and Grill, Maverik, Ein Tisch Inn and Wild Rice' Catering, Stockman's Club, Ziggy's, 1000 Springs Tours and Silver Spur.

### **VETERANS SERVICE**

The board looked over estimated expenses for veteran service officer, ffice remodel and monthly responses. Paperwork was turned over to John Horgan, Deputy Prosecuting Attorney to review.

### **SOLID WASTE/LANDFILL FEES**

Christina Wines, Treasurer, Patty Bauscher, Assessor and John Horgan Deputy Prosecuting Attorney met with the board regarding solid waste/landfill fees. The board decided to review the appeal assessments on a case-by-case basis. Commissioner Faulkner made a motion to waive the fees of assessment on property presented by the treasurer. Commissioner Edwards seconded. Motion carried.

The board recessed regular session

### **BOARD OF EQUALIZATION**

Commissioner Faulkner made a motion to close the board of equalization. Commissioner Edwards second the motion. Motion carried.

The board reconvened regular session.

Board recessed for lunch at 12:20 p.m. and reconvened at 1:30 p.m.

### **LANDFILL FEES**

Judy Davis joined the board to appeal the landfill assessment on her property. Commissioner Edwards made a motion to waive the landfill fee. Commissioner Faulkner seconded the motion. Motion carried.

### **EMS GRANT AGREEMENT**

Commissioner Edwards made a motion the Chairman sign the EMS Grant Agreement with Idaho Department of Health and Welfare. Commission Williams second. Motion carried.

### **LANDFILL FEE**

Gary Faulkner joined the board to appeal the landfill fee assessment on his property. No action was taken.

### **TAX CANCELLATION**

Tony Sousa, Mike Richards Deputy Assessor and Patty Bauscher, Assessor joined the board. Mr. Sousa appealed to the board to have the property tax increase on his property in Wendell waived. Commissioner Faulkner made a motion to cancel \$646.00 on parcel W200006001AA. Commissioner Edwards seconded the motion. Motion carried.

### **LIQUOR LICENSE**

Dan Becker appeared before the board to apply for a transfer of license and a new license for FY2008. Hearing was open by Commissioner Faulkner to transfer license from Pit Stop, LLC to Becker Pit Stop, LLC. No one appeared to appeal.

Commissioner Williams made a motion to approve the transfer of license from Pit Stop, LLC to Becker Pit Stop on contingency of receiving an Idaho State Liquor License. Commissioner Edwards seconded the motion. Motion carried.

### **MINUTES**

Commissioner Williams made a motion to accept the minutes from November 26, 2007 as presented. Commissioner Edwards seconded the motion. Motion carried.

### **EMPLOYEE'S CHRISTMAS PARTY**

Linda Leguineche joined the board and discussed the different options the employee's committee was working on for the Christmas Party. Commissioner Edwards made a motion to donate money for door prizes. Commissioner Williams seconded the motion. Motion carried.

### **INDIGENT**

Commissioner Edwards moved to go into an executive session pursuant to IC§31-874 to consider indigent matters. Commissioner Williams second the motion. Roll call vote: Edwards – Aye, Williams – Aye, Faulkner – Aye. Beverly Johannsen, County Service Director, Linda Leguineche, Assistant Direct and John Horgan, Deputy Prosecuting Attorney joined the meeting to review indigent cases. The board denied case 07-11-3233. The board vacated executive session and returned to regular session at 3:00 p.m. Commissioner Edwards seconded the motion. Motion carried.

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

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Helen P. Edwards, Commissioner

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Terrell Williams, Commissioner

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Tom Faulkner, Chairman

Attest: \_\_\_\_\_  
Denise Gill, Clerk

**REGULAR SESSION, JANUARY 7, 2008**

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

**EXECUTIVE SESSION**

Commissioner Edwards moved to go into executive session pending legal matters pursuant to IC67-2345 (f). Commission Williams seconded he motion. Roll call vote: Edwards– Aye, Williams – Aye, Faulkner – Aye.

**PLANNING AND ZONING**

Judy Davis, P&Z Administrator and Mark Rose, joined the meeting. Judy reported that she has received two complaints requesting to have the number of cows on dairies verified. The group discussed how to do random compliance checks. It was suggested to randomly pick a number of dairies per year for compliance verification and also investigate complaints.

**ELECTION PRECINCTS**

Linda Leguineche presented a map of the 2008 Gooding County Election Precincts and a list of polling places. Commission Edwards moved to approve the 2008 Gooding County Election Precincts. Commissioner Williams seconded the motion. Motion carried.

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

**BUILDING DEPARTMENT**

Richard Bigelow, Building Inspector, reported that the 2006 International Building Codes has a few issues that may propose difficulties and that the new code has only been adopted by rule, not by statue. Gooding County will stay with the 2003 codes until the 2006 is adopted by the legislature.

**GOODING COUNTY TRANSPORTATION PLAN**

Commissioner Edwards moved to resolve to adopt the Highway Standards and Development Procedures for Local Highway Jurisdictions of Gooding County, Idaho. Commissioner Williams seconded the motion. Roll call vote: Edwards– Aye, Williams – Aye, Faulkner – Aye.

**FAIR**

Don Gill, Fair Manager reported that the Gooding County Pro Rodeo was named the 2007 PRCA Wilderness Circuit Small Rodeo of the Year. He explained the changes that PRCA is implementing this next year. The group discussed potential changes to the open classes at the fair. He has added a 16-foot addition to the new sheep barn that will provide thirty-two new pens. The “blue sky” monies from last year will go to making wire panels for additional animals.

**MUSTARD SEED WELLNESS CLINIC**

The Mustard Seed Wellness Clinic provides free medical services. They offer services in diabetes, hypertension, depression and other services. They have several physicians, PA’s and nurses that volunteer their time. They also provide some free medications. Dr. McClusky explained the navigator program is designed to help patients that do not have insurance and do qualify for county or state programs. They also help direct patient’s to the proper care they need. Many of these patients will use the emergency rooms for regular office visits. They now can be seen at the Mustard Seed. They are also offering a wellness clinic. The patients must qualify and must be responsible for their health care by attending trainings. A good deal of their funding comes from companies in the area. They recently received \$20,000.00 from St. Lukes Magic Valley Hospital. They have seen 300 patients in the last three months that would have otherwise been seen in the emergency rooms. This will help to reduce the costs paid by the counties in the indigent program. There model is to work with a caring heart but with a business mind.

**DISASTER SERVICES**

Lori Capps invited the Board to a tabletop exercise on January 15, 2008. The 2007 Home Land Security Grant focus area is on training, exercises, recruiting volunteers and interoperability. Commissioner Faulkner moved to allow the Chair to sign the 2007 Homeland Security Grant. 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, 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 4:15 p.m. Commissioner Williams moved to deny 07-11-3238. Commissioner Edwards seconded motion. Motion carried.

Commissioner Edwards moved to approve the minutes from December 26, 2007, seconded by Commissioner Williams. Motion carried.

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

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Helen P. Edwards, Commissioner

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Terrell Williams, Commissioner

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Tom Faulkner, Chairman

Attest: \_\_\_\_\_  
Denise M. Gill, Clerk

**REGULAR SESSION, DECEMBER 10, 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 Faulkner seconded the motion. Motion carried.

General	95,489.27	Fair	4,399.62	Revaluation	135.50	Road & Br.	67.20
Ambulance	6,972.14	Public Health	5,645.17				
Dist.Court	5,811.45	Indigent	4,261.79	Weeds	866.26	Total	122,783.44

**LIQUOR LICENSE RENEWALS**

Commissioner Williams moved to approve the liquor license renewal for Mir a Mar. Commissioner Edwards seconded the motion. Motion carried.

**ANNUAL ROAD REPORT**

Commissioner Faulkner moved to approve the annual road report. Commissioner Edwards seconded the motion. Motion carried.

**PROBATION FEE RESOLUTION**

Commissioner Edwards moved to adopt Resolution 07-12-10. Commissioner Williams seconded the motion. Roll call vote: Edwards– Aye, Williams – Aye, Faulkner – Aye.

**RESOLUTION NO. 07-12-10**

**A RESOLUTION PROVIDING FOR JUVENILE COURT FEES TO BE CHARGED TO JUVENILES AND PARENTS AS ORDERED BY THE COURT, AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Idaho Code provides that counties shall establish a juvenile justice system, and,

WHEREAS, Gooding County has established a juvenile justice system, and,

WHEREAS, this system has financial impact on Gooding County, and,

WHEREAS, Gooding County has deemed it necessary that juvenile offenders and parents must be held financially accountable for juvenile probation department services;

NOW THEREFORE BE IT RESOLVED these fees are charged to juvenile offenders and their parents as ordered by the Court, and said fees shall be set as follows:

Monthly Probation Monitoring Fees	\$30.00 per month
Informal Adjustment Fee	\$20.00 per month
Public Defender Fee	\$50.00 per case, or as ordered by the court
Community Service Fee	\$.60 per community service hour ordered, or as otherwise increased by state law.
Special Program Fees:	
Electronic Monitoring	\$3.44 per day
Drug Testing	\$5.00 per Quick Test
	\$15.00 per Confirmation Test
Cost of Housing:	
Detention	\$50.00 per day; post adjudication

DATED THIS 10th Day of December 2007  
GOODING COUNTY BOARD OF COMMISSIONERS

ATTEST:	<u>/s/Tom Faulkner</u>
<u>/s/Denise Gill</u>	Tom Faulkner, Chair
Denise Gill, Clerk	<u>/s/Helen Edwards</u>
	Helen Edwards, Commissioner
	<u>/s/Terrell Williams</u>
	Terrell Williams, Commissioner

**PLANNING AND ZONING**

Judy Davis, P&Z Administrator, joined the meeting. Ms Davis reported that Patty Hooper requested to have cows counted at two different locations. The grandfathered CAFO’s are presenting a problem, whereas some of them are grandfathered for more animals units then what has ever been on the property. The additional animal units are creating problems; run off and waste. Ms. Davis has found that the present definition of the “canyon rim” needs to be reviewed. Ms. Davis said that she was going to ask the siting team to explain how the rating on the Reitsma’s location changed from moderate to low.

Commissioner Faulkner and Edward moved and seconded to recess for lunch. Motion carried.

**JARREL MOORE – CAFO ORDINANCE**

Mr. Moor explained that he is a property owner near a CAFO and now cannot build a new home or add to his existing home. He moved on to the property in 1991 and the CAFO was built 1994. He asked if the CAFO ordinance could be amended or if he could be grandfathered. It is his understanding that is a long process to apply for an variances. Chairman Faulkner explained it is a long process to amend an ordinance. He encouraged Mr. Moore to go through Planning and Zoning variance process. Commissioner Faulkner did not anticipate him having a problem whereas he has an existing home and is upgrading.

Mr. Moore inquired on the portion of the CAFO ordinance that refers to parties agreeing to less on the set backs. The Board reviewed the section of the ordinance in question and agreed with Mr. Moore that was an option for him.

**TREASURER – LAND FILL FEES**

Treasurer Wines and Assessor Bauscher joined the meeting. Debbie Johnston feels his that she should not be charged the landfill fee, whereas she is using her ground for pasture only. Commissioner Faulkner and Commissioner Williams moved and seconded to cancel one Landfill fee charge for RP06S14E056674A and RP05S15E104800A. Motion carried.

Commissioner Edwards and Commissioner Williams moved to cancel \$491.88 on 01W20020050050, \$123.35 RPC10001370023A, \$158.19 G1000137021B and \$170.10 01G1014000060A. Motion carried.

Leslie Lynch reported that his taxes increased significantly on his subdivision. Mr. Lynch stated he farmed it in 2006, but did not farm it in 2007. Chairman Faulkner explained that he must farm it for three consecutive years in order to receive an agriculture exemption and that it is too late to appeal his valuation for this year. Mr. Lynch was given a copy of IC§63-604.

**PERSONNEL MANUAL**

John Horgan, Deputy Prosecuting Attorney, discussed the proposed changes in the personnel manual. ICRMP is revising their sample manual.

**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 4:10 p.m. Commissioner Williams moved to deny 07-11-3231, 07-10-3229, 07-11-3234 and 07-1-3237. Commissioner Edwards seconded motion. Motion carried.

**VETERANS SERVICES**

Commissioner Edwards and Commissioner Williams moved and seconded to allow the Chair to sign the Memorandum of Understanding and Agreement Between with American Legion Post #41 for office space remodel and utilities. 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, Faulkner – Aye. The Board vacated executive session at 4:45 p.m.

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

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Helen P. Edwards, Commissioner

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Terrell Williams, Commissioner

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Tom Faulkner, Chairman

Attest: \_\_\_\_\_

Denise M. Gill, Clerk