

OWYHEE COUNTY COMMISSIONERS MINUTES  
JANUARY 24, 2011  
OWYHEE COUNTY COURTHOUSE  
MURPHY, IDAHO

Present were Commissioners Jerry Hoagland, Joe Merrick, and Kelly Aberasturi, Clerk Charlotte Sherburn, Treasurer Brenda Richards, Assessor Brett Endicott, and Sheriff Daryl Crandall.

Commissioner Hoagland called the meeting to order. Commissioner Merrick made a motion to set the agenda as presented. Commissioner Aberasturi seconded the motion. Aberasturi-aye, Merrick-aye, Hoagland-aye.

A motion was made by Commissioner Aberasturi to approve the board minutes from the January 18<sup>th</sup> meeting. Commissioner Merrick seconded the motion. Aberasturi-aye, Merrick-aye, Hoagland-aye.

Assessor Endicott presented an Agreement for Professional Services with Geographic Mapping Consultants Inc. for mapping services. The cost is \$50.00 per hour for GIS Mapping and Data. Commissioner Aberasturi made a motion to accept the contract with a second from Commissioner Merrick. Merrick-aye, Aberasturi-aye, Hoagland-aye.

Commissioner Merrick made a motion to approve tuition assistance for students attending Junior College. Commissioner Aberasturi seconded the motion. Aberasturi-aye, Merrick-aye, Hoagland-aye. Students attending College of Southern Idaho are: Ashlynn Uria, and Glenn Mason. Students attending College of Western Idaho are: Eriberto Garcia, Megan Leslie, Jessica Modesto, Brian Reynolds, Erika Smith, and T.J. Snyder.

Commissioner Merrick made a motion to send a letter of support to the Waterways Improvement Fund Advisory Committee on the Marsing Island Park Boating Enhancement Project. Commissioner Aberasturi seconded the motion. Merrick-aye, Aberasturi-aye, Hoagland-aye.

Commissioner Merrick made a motion to prepare a letter to City of Marsing requesting waiver of the building permit fee for the rescue boat storage building. The amount of the permit is \$599.36. Commissioner Aberasturi seconded the motion. Merrick-aye, Aberasturi-aye, Hoagland-aye.

Commissioner Aberasturi made a motion to approve payment of a 2008 Chevy Silverado in the amount of \$22,500 for the Sheriff's Department purchased from Ken Garff. Commissioner Merrick seconded the motion. Aberasturi-aye, Merrick-aye, Hoagland-aye, due to the fact the vehicle was in service prior to notification to the Board.

Commissioner Merrick made a motion to adopt Resolution 11-07 Relating to the sale of unusable county equipment for sale as scrap metal. Commissioner Aberasturi seconded the motion. Aberasturi-aye, Merrick-aye, Hoagland-aye.

Commissioner Aberasturi made a motion to adopt Ordinance No. 11-01 Setting the Official Meeting day of the Owyhee County Board of Commissioners on Monday's, and publish the

summary. The motion was seconded by Commissioner Merrick. Merrick-aye, Aberasturi-aye, Hoagland-aye.

Commissioner Aberasturi made a motion to accept the proposal from Aaron Marts Construction for remodel of the jury room at the Owyhee County Courthouse. The motion is to include the electrical work that was not included in the original estimate. Commissioner Merrick seconded the motion. Merrick-aye, Aberasturi-aye, Hoagland-aye. The estimate is for \$2,945.04. The project will be paid out of the court facilities fund.

Clerk Sherburn requested a pay authorization for part-time Magistrate Court Clerk Cindy Chavez at \$12.88 per hour. Commissioner Merrick made a motion to approve, with a second from Commissioner Aberasturi. Merrick-aye, Aberasturi-aye, Hoagland-aye.

Clerk Sherburn requested a new hire pay authorization for part-time Magistrate Court Clerk Linda Gerthung at \$11.88 per hour. Commissioner Merrick made a motion to approve, with a second from Commissioner Aberasturi. Merrick-aye, Aberasturi-aye, Hoagland-aye.

Pat Lucas with Bureau of Homeland Security met with the Board and Sheriff Crandall to go over the process of obtaining money for specific projects. An explanation was given by Mr. Lucas on grants requiring a 50% match by the county, and those that were 100% funded.

Commissioner Aberasturi made a motion to go into closed session for indigent and charity, with a second from Commissioner Merrick. Aberasturi-aye, Merrick-aye, Hoagland-aye.

Deputy Evans presented indigent and charity cases for consideration.

I.C. No 11-05 Commissioner Aberasturi made a motion to place a lien and deny the applicant pursuant to Idaho Code 31-3502(18)(a) not medically necessary. Commissioner Merrick seconded the motion. Motion was unanimous.

I.C. No 11-01 Commissioner Aberasturi made a motion to deny applicant pursuant to Idaho Code 31-3505(4),(b) incomplete application. Commissioner Merrick seconded the motion. Motion was unanimous.

A motion was made by Commissioner Aberasturi to go out of closed session. Commissioner Merrick seconded the motion. Merrick-aye, Aberasturi-aye, Hoagland-aye.

Commissioner Merrick moved to send a letter to the Jarbidge District Field Manager Richard VanderVoet regarding the comment on the draft Jarbidge RMP. Owyhee County adopted the Jarbidge Coalition for Multiple Use's Multiple Use plan as the proposed action in the Record of Decision. Commissioner Aberasturi seconded the motion. Merrick-aye, Aberasturi-aye, Hoagland-aye.

Commissioner Merrick made a motion to amend the agenda to include the extension of the Office of Energy Grant and the estimate on weather stripping for the doors at the courthouse in Murphy. Commissioner Aberasturi seconded the motion. Merrick-aye, Aberasturi-aye, Hoagland-aye.

Commissioner Merrick made a motion to send a letter to Office of Energy Resources extending the grant for energy conservation. Commissioner Aberasturi seconded the motion, Merrick-aye, Aberasturi-aye, Hoagland-aye.

Commissioner Merrick made a motion to accept the proposal from Aaron Marts Construction for replacing the weather stripping around the doors of the courthouse in the amount of \$518.13. Commissioner Aberasturi seconded the motion. Aberasturi-aye, Merrick-aye, Hoagland-aye.

A motion was made by Commissioner Aberasturi to go into executive session pursuant to I.C. 67-2345 (1),(a),(b),(c),(d),(e),(f) for personnel, attorney memo's and possible litigation. Commissioner Merrick seconded the motion. Aberasturi-aye, Merrick-aye, Hoagland-aye.

After moving out of executive session, Commissioner Aberasturi made a motion to adopt Resolution 11-06 Appointing Hearing Officer in Response to Wilke's Motion, Motion for Award of Costs and Attorney's Fees together with Memorandum of Costs and Attorney Fees and Supporting Argument with Accompanying Affidavits and Kettle's Motion for Reconsideration of Decision in Case 04-21 Wilke Order to Show Cause. Commissioner Merrick seconded the motion to adopt. Merrick-aye, Aberasturi-aye, Hoagland-aye

Commissioner Aberasturi made a motion to approve the Order in Case No 04-21, In the Matter of Tom Wilke Order to Show Cause Hearing. Commissioner Merrick seconded the motion. Merrick-aye, Aberasturi-aye, Hoagland-aye.

Commissioner Aberasturi made a motion to go into executive session I.C. 67-2345 on a personnel matter. Commissioner Merrick seconded the motion. Hoagland-aye, Merrick-aye, Aberasturi-aye.

After moving out of executive session a call was received from District 23 Representatives Jim Patrick and Stephen Hartgen. Discussion was held on upcoming legislation that may have an impact on counties.

There being no further business Commissioner Aberasturi made a motion to adjourn. Commissioner Merrick seconded the motion. Merrick-aye, Aberasturi-aye, Hoagland-aye.

Dated this 7<sup>th</sup> day of February 2011.

\_\_\_\_\_  
Jerry Hoagland, Chairman

Attest: \_\_\_\_\_  
Charlotte Sherburn