

OWYHEE COUNTY COMMISSIONERS MINUTES
NOVEMBER 9TH 2009
OWYHEE COUNTY COURTHOUSE
MURPHY, IDAHO

Present were Commissioner's Jerry Hoagland (until 10:00 a.m.), Richard Freund, and George Hyer, Clerk Charlotte Sherburn, Treasurer Brenda Richards, Assessor Brett Endicott, Prosecuting Attorney Douglas Emery and Jim Desmond.

Commissioner Hoagland called the meeting to order. Amendments to the agenda brought forth for consideration was a letter to Planning and Zoning regarding a CUP Application for a Broadband Tower.

Commissioner Hyer made a motion to amend the agenda to include the CUP application. Commissioner Freund seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Hyer made a motion to set the agenda as amended. Commissioner Freund seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Freund moved to approve the Board Minutes from the October 27th meeting. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Freund made a motion for approval of payment for all outstanding bills. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye. Payment's were made from the following funds:

Current Expense	\$44,975
Road & Bridge	\$10,495
District Court	1,573
County Fair	566
Probation	612
Health District	4,100
Museum	700
Indigent & Charity	2,642
Junior College	1,350
Revaluation	1,115
Solid Waste	9,714
Tort	232
Weed	27
911	1,150

Treasurer Richards, and Assessor Endicott brought forth a request for cancellation of property taxes on parcel no. RP009100010090A, property owners Gary & Kathy Brown in the amount of \$648.23. Market value was adjusted after the preliminary values had been set. Commissioner Freund made a motion to approve the cancellation. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye. An additional cancellation of property taxes on parcel no. MH0M0080140040A owned by Carolyn Turner was brought forth for consideration. Commissioner Freund made a motion to approve the cancellation of taxes in the amount of \$108.28 and solid waste fee of \$20.00, for a tax hardship on a circuit breaker. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Treasurer Richards presented an addendum to the PayPort Electronic Payments Agreement to include the Owyhee County Sheriff's ability to accept credit card payments for purchase of driver's licenses. Commissioner Freund made a motion to approve the addendum. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Hoagland had another engagement and had to leave. Commissioner Hyer made a motion to appoint Commissioner Freund as acting chairman in Commissioner Hoagland's absence. Hyer-aye, Freund-aye.

Prosecuting Attorney Emery presented an Agreement for Pathology Services between Owyhee and Ada County as requested by Coroner Harvey Grimme, in the event that Canyon County may be backlogged. Commissioner Freund made a motion to approve the agreement. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye.

Prosecuting Attorney Emery presented a Real Estate Lease Agreement relating to the Owyhee County Probation office. The Lease agreement is with Sheldon Family Homedale Ltd. The lease amount is \$600 per month with utilities included. Region III Probation and Parole will rent a separate office for \$100 per month effective December 1st, 2009. Commissioner Hyer made a motion to approve the lease agreement. Commissioner Freund seconded the motion. Hyer-aye, Freund-aye.

Commissioner Hyer made a motion to approve the certificate of residency for Carlen Hipwell to College of Southern Idaho. Commissioner Freund seconded the motion. Hyer-aye, Freund-aye.

A presentation on the Snake River Canyon Byway was given by Lyndell Jackson. Ms. Jackson provided maps showing the byway's location in Canyon County. Discussion was held on funding sources for the signage, as well as economic benefit to the City of Marsing, and City of Homedale. A request was made for a representative to attend meetings.

Deputy Clerk Belle Evans presented pending Indigent and Charity cases for the Board's review. The following action was taken.

I.C. Case no. 09-41 a lien was approved on applicant.

I.C. Case no. 08-18 an assignment to Catastrophic was approved at 93.7%.

I.C. Case no. 08-24 an assignment to Catastrophic was approved at 86.8%.

I.C. Case no. 08-28 an assignment to Catastrophic was approved at 68%.

I.C. Case no. 08-40 an assignment to Catastrophic was approved at 68%

I.C. Case no. 09-07 an assignment to Catastrophic was approved at 74.5%

I.C. Case no. 09-37 denied pursuant to IC 31-3505-4(b) Incomplete Application.

I.C. Case no. 09-38 denied pursuant to IC 31-3505-4(b) Incomplete Application.

I.C. Case no. 09-39 denied pursuant to IC 31-3502 (17) Not the Last Resource.

Commissioner Hyer made the motion, with a second from Commissioner Freund.

Hyer-aye, Freund-aye.

Commissioner Hyer made a motion to send a letter to the Planning and Zoning Commission concerning the Conditional Use Permit Application for an Emergency Services Broadband Tower, 60 foot tall. The Letter designates Jim Desmond to represent Owyhee County in the application process, and asks for a waiver of the building permit fee if approved. The tower will deliver Broadband data signals from the Idaho Public Safety Communications and Idaho Homeland Security Departments to the Owyhee County Emergency Operations Center at the Museum. Commissioner Freund seconded the motion. Hyer-aye, Freund-aye.

Kelly Haun asked if the 4-H Club could use the Homedale Armory for a Rabbit Show in January. Commissioner Hyer made a motion to approve with a reduced fee of \$100, with \$50.00 being refunded after facility is cleaned. Commissioner Freund seconded the motion. Hyer-aye, Freund-aye.

A Co-ordination meeting was held with the Jarbidge District Bureau of Land Management.

Commissioner Hyer made a motion to send a letter to the Boise District Bureau of Land Management regarding the Scoping Report, and Boise District Road & Trail Maintenance Program. The document provides comment on the updated "Scoping Report, Boise District Road & Trail Maintenance Program," which was provided to Owyhee County in a BLM mailing. Commissioner Freund seconded the motion. Hyer-aye, Freund-aye.

Commissioner Hyer made a motion to adopt Resolution 09-51 Granting departmental heads discretion of allowing certain employees in their departments to work November 11, 2009 (Veteran's Day) at their regular hourly rate of pay in exchange for taking November 27th as a paid holiday. Commissioner Freund seconded the motion. Hyer-aye, Freund-aye.

Commissioner Freund made a motion to go into executive session pursuant to I.C. 67-2345 (1),(a),(b),(c),(d),(e),(f) to review Attorney memos. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye.

After moving out of executive session Commissioner Hyer made a motion to send a letter to all Federal Land Permittees with grazing allotments that are or may be affected by wilderness designation by the passage of the Owyhee Initiative. The letter asks each permittee to complete an inventory of their grazing allotment to comply with the Owyhee Initiative Legislation. Commissioner Freund seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

The Board recessed for a tour of American Ecology November 10th at 11:30 a.m.

There being no further business the Board moved for adjournment.

Dated this 17th day of November 2009.

_____ Attest:_____