

OWYHEE COUNTY COMMISSIONERS MINUTES  
MAY 5, 2009  
OWYHEE COUNTY COURTHOUSE  
MURPHY, IDAHO

Present were Commissioner's Jerry Hoagland, Richard Freund, and George Hyer, Clerk Charlotte Sherburn, Assessor Brett Endicott, Treasurer Brenda Richards, Sheriff Daryl Crandall, Prosecuting Attorney Douglas Emery, Deputy Prosecuting Attorney Chuck Saari, and Jim Desmond.

Commissioner Hoagland called the meeting to order. Amendments to the agenda included: the 2010 census, letter to Gigray pertaining to Leinani Estates Final Plat, letters on Planning & Zoning issues to Mr. DeRuyter, and Mr. Henning, preparation of Nuisance Ordinance, letter of support for Owyhee Watershed Council and County Credit Cards.

Commissioner Freund made a motion to include the amendments to the agenda. Commissioner Hyer seconded the motion. Motion was unanimous

Commissioner Hyer made a motion to approve the Board Minutes for the April 21<sup>st</sup> meeting. Commissioner Freund seconded the motion, with unanimous approval.

Commissioner Freund made a motion to adopt Resolution 09-15 reflecting the intention of Owyhee County to retain the professional engineering services of Civil Dynamics, PC during the remaining fiscal 2009 year, on an as needed basis. Commissioner Hyer seconded the motion. Motion was unanimous.

Commissioner Hyer made a motion to approve the application for the JABG Grant for the Probation Department. The grant is in the amount of \$4,000. Commissioner Freund seconded the motion for approval. Motion was unanimous.

Commissioner Freund made a motion to approve the funding for the Soil Conservation Districts in Owyhee County for the coming year. The approval was \$2,500 for Owyhee Soil Conservation District, \$2,400 for Bruneau Soil Conservation District, and \$500 to Balanced Rock Soil Conservation District. Commissioner Hyer seconded the motion. Motion was unanimous.

Commissioner Freund made a motion to approve payment of all outstanding bills to be paid from the following funds. Commissioner Hyer seconded the motion. Motion was unanimous. The funds are as follows:

Current Expense	\$33,650
Road & Bridge	15,498
District Court	2,545
Probation	322
Health District	4,234
Indigent & Charity	10,041

Revaluation	786
Solid Waste	14,553
Weed	489
911	37

Bruce Kroesch and Patty Foster with Southwest District Health came before the Board to discuss the projects that were funded in the six counties within their district. The budget hearing for the 2010 budget will be held in Caldwell on May 19<sup>th</sup>. The amount requested from Owyhee County is \$49,203.

Deputy Evans presented pending Indigent and Charity cases for the Boards review.

I.C. Case # 09-17 a lien was approved to be placed on applicant.

I.C. Case #09-13 applicant was denied pursuant to I.C.31-3505(4)(f).

I.C. Case #09-15 applicant was denied pursuant to I.C. 31-3502(17)

A motion was made by Commissioner Freund, with a second from Commissioner Hyer. Motion was unanimous.

Commissioner Hyer made a motion to approve all of the alcohol beverage license's presented for 2010. Commissioner Freund seconded the motion. Motion was unanimous. Those licenses were for Café Leku, The Fishin Hole, Owyhee Motor Sales, Blue Canoe, Salinas Raider Express Café, Black Sands Resort, Gus's Gas, I-O-N Truck Plaza, Cowboys Pastime, and Square Deal Store.

The 2008 Murphy Water Report was presented for review.

Commissioner Hyer made a motion to approve a letter of support to the Owyhee Watershed Council to help with their request for funding on water quality issues in Owyhee County. The grant they are trying to obtain is the Owyhee Restoration Incentive Program. Commissioner Freund seconded the motion. Motion was unanimous.

Commissioner Freund made a motion to have the Prosecuting Attorney work on the development of a Nuisance Ordinance for their review. Commissioner Hyer seconded the motion. Motion was unanimous.

Commissioner Freund made a motion to have Prosecutor Emery review the Henning file and prepare the necessary documentation to determine if there is a noncompliance issue. Commissioner Hyer seconded the motion. Motion was unanimous.

Commissioner Hyer made a motion to appoint Tiffany Walker to serve as chairperson of the 2010 Census Complete County Committee for Owyhee County. Commissioner Hoagland seconded the motion. Motion was unanimous.

Commissioner Freund made a motion to have Prosecutor Emery prepare a letter to William Gigray with White Peterson, explaining the Board's position on the water issue for Leinani Estates Plat. Commissioner Hyer seconded the motion. Motion was unanimous.

Rob Ramsey with Civil Engineering took public comment on alternative routes of use during the replacement of the Reynolds, and Jordan Creek bridges. The replacement of the two bridges will be done in July, August and September of 2010. Comments were taken from the public. The projects will be put out to bid by Idaho Transportation Department in the spring of 2010. Mr. Ramsey will keep the Board informed as more information is provided to him.

Treasurer Richards discussed the issuance of credit cards. Due to recent problems with the issuance of cards from Bank of America the Treasurer has been working with U.S. Bank for new credit cards. A list of cards was presented to the Board for review, and credit limits were discussed. No action was taken.

Commissioner Hyer requested an executive session pursuant to Idaho Code 67-2345(f)(d) to receive legal advice; possible decision to follow in open session. Commissioner Freund seconded the motion. Freund-aye, Hyer-aye, Hoagland-aye.

Commissioner Hyer moved to go out of executive session, seconded by Commissioner Freund. Motion was unanimous. No action was taken.

Commissioner Hyer made a motion to approve the Memorandum of Understanding between the Owyhee County Sheriff's Office and Homedale Police Department. Commissioner Hoagland seconded the motion. Commissioner Freund cast a nay vote. Homedale Police Department will now be able to utilize the Records Management Software System currently owned by Owyhee County through Computer Arts. The cost will be shared between the two entities.

There being no further business the Board moved for adjournment.

Dated this 11<sup>th</sup> day of May 2009.

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Jerry Hoagland, Chairman

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