

OWYHEE COUNTY COMMISSIONERS MINUTES  
JUNE 8<sup>TH</sup> AND 9<sup>TH</sup> 2009  
OWYHEE COUNTY COURTHOUSE  
MURPHY, IDAHO

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

Commissioner Hoagland called the meeting to order at 9:00 a.m. Amendments to the agenda discussed were payment of the claim for mileage, and the Board Minutes for June 2<sup>nd</sup>.

Commissioner Freund made a motion to set the agenda as amended, including the claim for mileage and the Board Minutes. Commissioner Hyer seconded the motion. Hoagland-aye, Freund-aye, Hyer-aye.

Commissioner Freund made a motion to award the gravel crushing bid to Thueson Construction in the amount of \$157,000 for the crushing of 45,000 ton for Road District 1 and District 3. Commissioner Hyer seconded the motion. Hoagland-aye, Freund-aye, Hyer-aye.

Carolyn Turner and Darlene Webb met with the Board concerning property taxes. Ms. Turner was not available and missed the deadline to apply for the tax reduction circuit breaker program. Commissioner Freund made a motion to take the matter under advisement and issue a decision during the Board of Equalization. Commissioner Hyer seconded the motion. Hoagland-aye, Freund-aye, Hyer-aye.

Treasurer Richards brought forth a recommendation for cancellation of personal property tax on Parcel No. PP5900719 in the amount of \$19.70. Bankruptcy was filed by the Rafter 4 Feed Company and the real property was sold. Commissioner Freund made a motion to cancel the taxes. Commissioner Hyer seconded the motion. Hyer-aye, Hoagland-aye, Freund-aye.

Treasurer Richards presented a request for cancellation of property taxes on Parcel No. MH02N04W200900A amounting to \$4.00. The mobile home was used for storage. The owner is Mark Wilson. Commissioner Freund made a motion to cancel the taxes. Commissioner Hyer seconded the motion. Hyer-aye, Hoagland-aye, Freund-aye.

Commissioner Hyer made a motion to approve and send letters to the Idaho Delegation as well as Walter George the BLM Project Manager for the Gateway West Transmission Power Project. The letter addresses the coordinating provisions in FLPMA rather than the cooperating agency status regarding the Gateway West development process. Commissioner Freund seconded the motion. Freund-aye, Hyer-aye, Hoagland-aye.

Commissioner Hyer made a motion to approve an amendment to the Final Plat for the Brandau Subdivision. The amendment would amend the plat to allow direct access from Highway 78 to two lots of the subdivision. Commissioner Freund seconded the motion. Hoagland-aye, Freund-aye, Hyer-aye.

Discussion was held on the Nuisance Ordinance proposed by Prosecutor Emery. Commissioner Freund made a motion to table the matter until August 4<sup>th</sup> at which time setting of a public hearing may occur. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Hyer made a motion to approve the Board Minutes for the June 2<sup>nd</sup> meeting. Commissioner Freund seconded the motion for approval. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Freund made a motion to approve the mileage claim submitted by Sheriff's employee Toni Wunch that had been previously denied. Commissioner Hyer seconded. Hyer-aye, Freund-aye, Hoagland-aye.

An Indigent and Charity hearing was held on case #09-05. Mr. Desmond acted as the hearing officer. Testimony was taken from Deputy Belle Evans regarding the application. Commissioner Hyer made a motion to reaffirm the prior denial on May 9<sup>th</sup>. Commissioner Freund seconded the motion. Freund-aye, Hyer-aye, Hoagland-aye.

Belle Evans presented Indigent & Charity case #09-22 approving a lien on the applicant. Commissioner Hyer made a motion for approval with a second from Commissioner Freund. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Freund made a motion to go into executive session pursuant to I.C. 67-2345 (1),(a),(b),(c),(d),(f) Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye. Commissioner Freund moved to go out of executive session with a second from Commissioner Hyer. No action was taken.

The Board recessed until June 9<sup>th</sup> at 8:30 a.m.

The Board reconvened on June 9<sup>th</sup> at 8:30 to meet with elected officials and department heads to go over proposed budgets for 2010.

During the budget meetings it was brought to the attention of the Board that the recent flooding in the County had resulted in the destruction of agricultural crops as fields, roadways and structures of many of the citizens had been affected. Commissioner Freund made a motion to amend the agenda to include Resolution 09-18 providing for a Disaster Declaration. Commissioner Hyer seconded the motion. Freund-aye, Hoagland-aye, Hyer-aye. Prosecuting Attorney Emery requested the matter be put on the agenda for June 16<sup>th</sup> in order to ratify the Board's decision. The Declaration was faxed to Bureau of Homeland Security and Governor Otter.

There being no further business the Board moved for adjournment.

Dated this 16<sup>th</sup> day of June 2009.

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Jerry Hoagland, Chairman

Attest: \_\_\_\_\_  
Charlotte Sherburn, Clerk