

OWYHEE COUNTY COMMISSIONERS MINUTES
AUGUST 12, 2013 MURPHY, IDAHO

Present were Commissioner's Joe Merrick, Jerry Hoagland, and Kelly Aberasturi, Clerk Angela Barkell, Sheriff Perry Grant, Prosecuting Attorney Doug Emery, Deputy Clerk Kristal Clausen, Probation Administrator Doris Jewett, Assessor Brett Endicott, Treasurer Brenda Richards, Planning and Zoning Administrator Mary Huff, Jim Desmond, Indigent Director Belle Evans, Citizens Kenandoah, Michele & Maria Hinton, Glenn & Vivian Lillie, Don & Toni Peterson, Sid Erwin and Jay Thomas, and Idaho Power Representative Kristi Pardue.

At 9:00 A.M. Commissioner Merrick called the meeting to order.

Assessor Endicott reported that the Courthouse roof will need repaired and/or resealed before winter. There were leaks from accumulated snow last winter.

Commissioner Aberasturi reported that the Idaho Hunger Task Force is in need of cash donations to defray the cost of food distribution, as they have been hit by funding cuts.

Commissioner Hoagland made a motion, seconded by Commissioner Aberasturi to set the Agenda. Motion carried.

Commissioner Hoagland made a motion to approve the August 5, 2013 Board minutes. Second by Commissioner Aberasturi. Motion carried.

Commissioner Aberasturi made a motion to approve Certificates of Residency to College of Western Idaho for Jordan Paoletti, Evelyn Williams, Jonathon Williams and Rebecca Coffman. Second by Commissioner Hoagland. Motion carried.

Commissioner Hoagland made a motion to approve a Contract Amendment with the State of Idaho, Department of Health and Welfare adding \$11,000 to the original contract maximum amount for process services. Second by Commissioner Aberasturi. Motion carried.

Treasurer Brenda Richards presented a Tax Cancellation on parcel MH02N04W200620T in the amount of \$24.99. The mobile home is no longer in the County. Commissioner Hoagland made a motion to cancel the taxes. Second by Commissioner Aberasturi. Motion carried.

Treasurer Brenda Richards presented a Tax Cancellation on parcel MHAM0020090350T in the amount of \$41.28. The mobile home is no longer in the County. Commissioner Hoagland made a motion to cancel the taxes. Second by Commissioner Aberasturi. Motion carried.

Commissioner Hoagland made a motion to execute an Understanding of Services with Bailey & Company, for auditing services covering the fiscal year ending September 30, 2013. Second by Commissioner Aberasturi. Motion carried.

A public hearing was held concerning a Proposed Oil & Gas Ordinance. Planning and Zoning Administrator Mary Huff read into the record a recommendation from the Planning and Zoning

Commission that the Board adopt the proposed ordinance. Citizens had general questions regarding the Proposed Ordinance, but no public opposition was received. Commissioner Hoagland made a motion to adopt Owyhee County Ordinance 2013-2 Oil & Gas Operations. Second by Commissioner Aberasturi. Motion carried, vote was unanimous.

A public hearing was held concerning an amendment to the Comprehensive Plan Land Use Map to add a Power Zoning Overlay District. Planning and Zoning Administrator Mary Huff read into the record a recommendation from the Planning and Zoning Commission that the Board adopt the proposed Amendment. Citizen Sid Erwin expressed his concerns stating that he is worried this change could bring on a lawsuit against the County from the BLM, regarding the location of the Gateway West Project. Kristi Pardue, representing Idaho Power Company stated that they are against the proposed plan and would rather see the County handle new transmission lines on a case by case basis through the Conditional Use Permit process. Commissioner Aberasturi commented that the Board feels that the amendment is necessary to protect the private property owners and citizens of Owyhee County. Commissioner Hoagland made a motion to adopt the amendment as recommended. Second by Commissioner Aberasturi. Motion carried, vote was unanimous.

A public hearing was held concerning a Proposed Ordinance “The Owyhee County Greater than 230kV nominal Power Zoning Overlay District (Overlay Ordinance). There were no public comments regarding the Proposed Ordinance. Commissioner Hoagland made a motion to adopt Owyhee County Ordinance 2013-3 “The Owyhee County Greater than 230kV nominal Power Zoning Overlay District (Overlay Ordinance)”. Second by Commissioner Aberasturi. Motion carried, vote was unanimous.

Probation Administrator Doris Jewett reported to the Board that Ada County Juvenile Probation Department offered two spots to Owyhee County to participate in the Scales of Justice Bass Tournament. The tournament is for juvenile offenders that have made great improvements. She reported that they have one juvenile offender that they will be taking to the tournament. She further reported that fewer people are being put on probation and that the caseload is dropping. She said that they will have more time to oversee offenders that are sentenced to unsupervised probation and would like to start a program that requires offenders sentenced to unsupervised probation to report one time to the probation office to set up an unsupervised plan. They will also be required to pay a onetime fee. Probation Officers would then be able to follow them in the court software to make sure they are adhering to the plan, which would include the payment of court fines and fees. She will follow up with the Prosecutor to draft the plan. She is also requesting an increase in supervised probation fees, which follows a fee increase already adopted by the Idaho Court System.

Commissioner Hoagland made a motion to authorize Board Chairman Joe Merrick to sign two Contracts with Branch Enterprises for juniper mastication projects when the money is received by the County from the Idaho Department of Fish and Game. Second by Commissioner Aberasturi. Motion carried.

Jim Desmond presented a quote to the Board from Intermountain Communications for 6 portable radios and pagers to be utilized by the Grand View Fire Department in the amount of \$8,500.00.

Commissioner Aberasturi made a motion to accept the bid and purchase the radios and pagers with funds from the Hazardous Materials Trust Fund. Second by Commissioner Hoagland. Motion carried.

Commissioner Hoagland made a motion to move into closed session for an Indigent and Charity Hearing on case 2012-41. Hearing was continued pending the drafting of proper paperwork.

After moving out of closed session, Commissioner Aberasturi made a motion to go into executive session pursuant to Idaho Code 67-2345(1)(a)(b)(f) for possible litigation and a personnel issue. Commissioner Hoagland seconded the motion. Aberasturi-aye, Merrick-aye, Hoagland-aye. Motion was unanimous. No action was taken.

Commissioner Hoagland made a motion to execute and send a letter to Loretta Chandler, Manager of the BLM Owyhee Field Office regarding the Group 3, 4 and 5 Permit Renewals. Second by Commissioner Aberasturi. Motion carried.

Commissioner Hoagland approved a letter to Grace Arroyo regarding the Spanish Interpretative Services, outlining a 24 hour cancellation notice. Second by Commissioner Aberasturi. Motion carried.

Jim Desmond briefed the Board on his plan for the revision of the Emergency Operations Plan. A contract will be prepared and brought before the Board at a later date.

A coordination meeting was held with the BLM – Jarbidge District.

Commissioner Hoagland made a motion to go into executive session pursuant to Idaho Code 67-2345(1)(f) to discuss litigation. Commissioner Aberasturi seconded the motion. Aberasturi-aye, Merrick-aye, Hoagland-aye. Motion was unanimous. No action was taken.

After moving out of executive session, Commissioner Hoagland made a motion to accept a quote from White Cloud Communications in the amount of 11,975.53 for a repeater and radios to be utilized by the Homedale Highway District to be paid from the Hazardous Materials Trust Fund. Second by Commissioner Aberasturi. Motion carried.

There being no further business the Board adjourned.

Dated this 19th day of August, 2013.

Joe Merrick, Chairman

Attest: _____
Angela Barkell, Clerk