

OWYHEE COUNTY COMMISSIONER MINUTES  
AUGUST 22, 2011  
OWYHEE COUNTY COURTHOUSE  
MURPHY, IDAHO

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

Commissioner Hoagland called the meeting to order. Comments were received from Don Reed congratulating the Commissioners on the good job they are doing, and Russ Turner commented on the State EMS getting in contact with the county.

Amendments brought forth, included consideration of certificates of residency to College of Southern Idaho and the minutes from the prior meeting. Commissioner Merrick made a motion to amend the agenda to include the two items. Commissioner Aberasturi seconded the motion. Motion carried.

Commissioner Merrick made a motion that was seconded by Commissioner Aberasturi to set the agenda as amended. Motion carried.

Commissioner Aberasturi made a motion with a second by Commissioner Merrick to approve the Board Minutes from the August 15<sup>th</sup> meeting. Motion was unanimous.

Commissioner Merrick made a motion to approve the certificates of residency for tuition assistance for students attending College of Southern Idaho. They include Martin Brizuela, Peyton Kinney, Mollee Nielsen, Lisa Miller, Michael Prior, Danielle Ike, Emilio Cuellar, and Angelica Cuellar. Commissioner Aberasturi seconded the motion. Motion carried.

Commissioner Aberasturi made a motion to go into closed session for indigent and charity matters. Commissioner Merrick seconded the motion. Motion carried.

Deputy Belle Evans presented pending indigent & charity cases for review by the Board. I.C. #11-43 a lien was approved with a motion by Commissioner Aberasturi, and seconded by Commissioner Merrick. Motion carried

I.C. #11-23 applicant withdrew application.

I.C. #11-40 applicant approved with a \$50 per month reimbursement. The motion was made by Commissioner Merrick and seconded by Commissioner Aberasturi. Motion carried.

I.C. #11-41 denied pursuant to IC 31-3505(4)(b) incomplete application. Motion by Commissioner Merrick and second by Commissioner Aberasturi. Motion carried.

I.C. #11-42 denied pursuant to IC 31-3505(4)(b) incomplete application. A motion was made by Commissioner Merrick and seconded by Commissioner Aberasturi. Motion carried.

A public hearing was held for the input on opening the Sheriff's Department budget up to increase the funds in the fuel line. The fuel line is \$15,000 in the red with two months left in fiscal year 2011. Oral testimony was given by Chris Even, Aron Streibel, Richard Freund, Russ Turner, Rohl Hipwell, Don Barnhill, Nick Ihli, Billy Wolfe, Don Reed, Rocky Widner, and

Delwyn Trefz. After consideration of the testimony given, Commissioner Aberasturi stated that the county is obligated to maintain service, and made a motion to take the matter under advisement and issue a decision after review by the Prosecuting Attorney, ICRMP, and the Auditor. Commissioner Merrick seconded the motion. Motion carried.

State 911 Coordinator Eddie Goldsmith met with the Board to discuss installation of the 911 PSAP system in the Sheriff's Department. Mr. Goldsmith advised that Project Manager Joe Merrick be present when Qwest does the inventory when all equipment has been shipped. The awarded amount of \$246,323 will be put in the 911 Trust, and the invoice will be paid out of the trust. Mr. Goldsmith estimated a 90 day installation period. At that time training will be scheduled.

Commissioner Aberasturi made a motion to go into executive session pursuant to I.C. 67-2345(1)(a)(b)(c)(d)(e) on personnel, attorney memos and possible litigation. Commissioner Merrick seconded the motion. Merrick-aye, Aberasturi-aye, Hoagland-aye.

After moving out of executive session Treasurer Richards presented the matter of taking of a tax deed on parcel number RP 03N05W241818A located at 4761 Titus Lane, Marsing, Idaho. Commissioner Aberasturi made a motion to take tax deed on the mentioned parcel. Commissioner Merrick seconded the motion. Motion was unanimous. Treasurer Richards told the Board Idaho Code states the county has 14 months in which to sell the property.

Erwin Gifford from Homedale approached the Board about the formation of a library district in Homedale. Mr. Gifford stated they are receiving advice from the City of Homedale attorney, and would have a petition to present to the Board in the near future.

A Coordination meeting was held with the Boise District Bureau of Land Management.

Commissioner Merrick made a motion to send out a press release for next weeks paper regarding the budgetary shortfall in the Owyhee County Sheriff's Department line item, for purchase of fuel for patrol vehicles; Statement and Decision. Commissioner Aberasturi seconded the motion. Motion carried.

On August 22<sup>nd</sup> a Public Hearing was held at the Owyhee County Courthouse, pursuant to Owyhee County Resolution No. 2011-18, the purposed of seeking public suggestions and comments regarding the budgetary shortfall in FY 2011 line item budget for the purchase of vehicle fuel for use by the Owyhee County Sheriff Dept., (herein after OCSD) patrol division.

Mixed public comment presented before the Board included statements or concerns that:

- Owyhee County is one of the largest geographical areas of the State;
- OCSD vehicles are needed to patrol the county to enforce the law and protect the peace and rights of the citizens of the county;
- gasoline costs have increased since 2010 and equipped Ford four (4) wheel drive pickup trucks require large quantities of gasoline;
- the price of gasoline is beyond the control of consumers;
- these are economically difficult times, with reduced tax revenues available for the operation of county expenditures;
- the economic forecast appears to be worse than current resources and conditions;

- the majority of the taxpayers and residents of Owyhee County are required to set, and maintain and live within budgetary limits and the OCSD, is likewise expected to be financially responsible;
- three (3) or more OCSD deputies who reside outside of the county, are presently allowed to drive their assigned OCSD vehicles to and from their residences at county expense;
- OCSD vehicles should not be allowed (except in rare circumstances) to be driven home by deputies residing outside of the county;
- the OCSD administration has not demonstrated a commitment to conserving limited county resources and should not be entrusted yet an additional fuel allowance for the remaining fiscal year;
- Owyhee County residents perceive that OCSD vehicles have at times been driven both within and outside of the county for unnecessary purposes;
- OCSD vehicles should be used exclusively for official Owyhee county business and not allowed for personal errands, family excursions and except in instances of prisoner transport should not be occupied by non county employees, (eg. The spouse of the department head and/or family OCSD employees);
- mismanagement; the present OCSD fuel expense overage is reflective of poor departmental management and a lack of appropriate planning earlier in FY 2011;
- an elected county official is a steward of entrusted county funds and is expected to conserve such funds;
- better departmental management, control and oversight is needed at OCSD to avoid waste and assure that limited county funds are property and better utilized.

STATEMENT AND DECISION: The Owyhee County Commissioners strongly support the legitimate in interests of the county and are dedicated in assuring that the laws designed to protect the peace, dignity, and rights of Owyhee County residents are enforced and upheld.

In accordance with Idaho Code 31 Chapter 8 and governing law, this Board is committed to assure that the legitimate, verifiable and reasonable OCSD departmental expenditures in the remaining FY 2011 are timely paid.

Respectfully yours,

Owyhee County Board of Commissioner:  
 s/s Jerry Hoagland, Chairman  
 s/s Kelly Aberasturi, Commissioner  
 s/s Joe Merrick, Commissioner

There being no further business the Board moved to adjourn.

Dated this 6<sup>th</sup> day of September 2011.

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 Jerry Hoagland, Chairman

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