

OWYHEE COUNTY COMMISSIONERS MINUTES
AUGUST 27, 2012
OWYHEE COUNTY COURTHOUSE MURPHY, IDAHO

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

Commissioner Merrick called the meeting to order. Amendments brought forth for consideration were a letter to the Bureau of Land Management on the Land Exchange, and a Bureau of Homeland Security Grant for the 2012 EMPG Grant.

Commissioner Hoagland made a motion to amend the agenda to include the amendments discussed. Commissioner Aberasturi seconded the motion. Motion carried.

Commissioner Hoagland made a motion to set the agenda as amended, with a second from Commissioner Aberasturi. Motion was unanimous.

Commissioner Aberasturi moved to approve the Commissioner Minutes for the August 20th meeting as presented. Commissioner Hoagland seconded the motion for approval. Motion carried.

Commissioner Aberasturi made a motion to approve certificates of residency for Melissa Paz attending College of Western Idaho, and Patrick Daniel attending College of Southern Idaho. Commissioner Hoagland seconded the motion for approval. Motion carried.

Commissioner Hoagland recused himself from voting on the Change Order for the Reynolds Creek Bridge # 28295, requested by LHTAC. Commissioner Aberasturi made a motion to accept the Change Order on the Reynolds Creek Bridge for a spillway to regulate the overflow of water. Commissioner Merrick seconded the motion. Motion carried.

Commissioner Hoagland made a motion to approve the Pathology Agreement Coroner Tines had submitted for consideration with Ada County. Commissioner Aberasturi seconded the motion. Motion carried.

The continuation of the Jacks Creek Road Validation hearing was held. After consideration of documentation brought forth and testimony given the Board's findings were as follows. Commissioner Aberasturi made a motion to have the Findings of Fact and Conclusions of Law to be completed deeming Jacks Creek Road a public road. Commissioner Hoagland seconded the motion based on the testimony of Eric Davis. Motion was unanimous.

An Indigent & Charity Hearing was held on case # 12-15. Jim Desmond was the acting Hearing Officer & Deputy Belle Evans presented testimony and case review. Neither the hospital nor the applicant was present at the hearing. After consideration of all testimony Commissioner Aberasturi made a motion to affirm the decision of June 4th 2012 Idaho Code 31-3505(4)(b) incomplete application. Commissioner Hoagland seconded the motion. Motion carried.

I.C. case # 12-33 and case #12-34 Commissioner Hoagland made a motion liens be placed on both applicants. Commissioner Aberasturi seconded the motion. Motion carried.

Commissioner Hoagland made a motion to go into executive session pursuant to Idaho Code 67-2345(1)(a)(b)(c)(d)(f) for personnel, possible litigation and attorney memos. Commissioner Aberasturi seconded the motion. Merrick-aye, Aberasturi-aye, Hoagland-aye. Motion was unanimous.

After moving out of executive session Commissioner Aberasturi made a motion to approve the 2012 Emergency Management Performance Grant with Bureau of Homeland Security in the amount of \$13,459.67. Commissioner Hoagland seconded the motion. Motion carried.

Commissioner Hoagland made a motion to send a letter to John Sullivan, Supervisory Resource Management Specialist with the Bureau of Land Management. The letter is regarding the Exchange Proposal IDI 36306 commenting on the proposed Bureau of Land Management and Idaho Department of Land exchanges. Commissioner Aberasturi seconded the motion to send the letter.

There being no further business the Board moved to adjourn.

Dated this 4th day of September 2012.

Joe Merrick, Chairman

Attest: _____
Charlotte Sherburn, Clerk