

December 7, 2009

8:33 AM

The meeting was called to order by Chairman Stapelman with Commissioners Hunsaker and Moore in attendance. Minutes were taken by Clerk Smith.

Applications for County Aid

The Board considered the following Applications for County Aid:

Denied: 100402, 2009-188; 101004, 2009-183; 100998, 2009-174

Bills

The following bills were examined, approved and ordered paid and the warrants may be seen at the Auditor's Office.

	Bills
Current Expense	\$ 10,830.05
District Court	13,663.55
Justice Fund	23,165.52
E911	5,707.36
Indigent	9,869.89
Parks & Recreation	439.27
Revaluation	2,217.78
Waterways Fund	127.96
Weed	467.49

City of Rupert Dispatch Agreement

Prosecuting Attorney Stevenson, Sheriff Deputies Watson and Kindig met with the Board to discuss the proposed dispatch agreement with the City of Rupert. Sheriff Halverson joined the conversation via phone. The City continues to ask for additional information relating to the proposal that was first presented to them months ago.

Renova

Prosecuting Attorney Stevenson reviewed the Renova situation with the Board. He received a response to his letter requesting a surety bond in order for the County to delay tax collection procedures. The attorney for the Mechanics Lienholder Committee thinks the bankruptcy court will grant the tax payment extension without a surety bond. The Board unanimously approved a MOTION to take a "no objection" stance.

Indigent Lien

Ted Munoz asked the Board to release the County's indigent lien on his home. He would like to sell the property but the mortgage plus the lien is more than the house is worth. The Board agreed to release the lien at time of sale if he can sell it for enough to pay one-half of his debt to the County.

Employment Position & Bonds

Prosecuting Attorney Stevenson reviewed his plans for replacing Deputy Brody and the Board discussed the salary level for the replacement. The Board also approved a MOTION unanimously for Stevenson to contract with the Twin Falls law firm of Hepworth, Janis & Brody to collect two bonds.

Executive Session

The Board unanimously approved a MOTION to go into Executive Session pursuant to Idaho Code Section 67-2345(1f). The general tenor of the session was the discussion of a matter of pending litigation.

General Reserve

Returning to Regular Session, the Board heard from Building Supervisor Aston. He presented a proposal for carpeting the Treasurer's old office for use as the Board's meeting room. The Board unanimously approved a General Reserve appropriation for the \$ 1,512.84 cost. The Board also approved unanimously a General Reserve appropriation of \$ 190.00 for a new chair for the Treasurer's Office.

Idaho Transportation Dept. Audit

Assessor Vaughn informed the Board that he had requested an audit by the Idaho Transportation Dept. since there had been some embezzlement problems in other counties. He said that their audit found no problems.

Minutes

The Board approved the Minutes of Sept. 28, October 5, and October 19, 2009 with no changes.

Confined Feeding Ordinance

Zoning Administrator Aston met with the Board to discuss whether the Confined Animal Feeding Ordinance needed to be revised to address chickens.

Cancellation of Taxes

The Board approved the following Cancellation of Taxes:

Terry Short	RP09S24E114020A	\$ 48.89
Tri-Mkt Radio	RP09S23E363180	\$ 384.06

Board of Equalization

The Board convened as the Board of Equalization to approve the Occupancy Roll, Subsequent Roll, and the Missed Property Roll submitted by the Assessor's Office.

Cell Tower/Fairgrounds

Clerk Smith informed the Board that the lease payment from American Tower for their cell tower at the Fairgrounds had increased by 15%. The Board unanimously passed a MOTION to continue giving all of that revenue to the Fair Board.

Appeal of Hansen's CAFO Permit

After lunch the Board convened in Courtroom #3 for the Public Hearing regarding the appeal of Hansen's CAFO Permit.

Zoning Administrator Aston reviewed activities that had taken place leading up to this hearing. Attorney Don Chisholm, representing the appellants, presented a handout that set forth the following:

1. the CAFO Siting Team stated that the site is in a high risk area;
2. the Mitigation Plan is incomplete
3. there is inadequate soil to create berms or barrows; and

4. the Planning & Zoning Commission failed to require detailed information of the Mitigation Plan.

Attorney John Lothspeich, representing John Hansen, asserted that a property owner has a right to use his land lawfully. He also pointed out that the Mitigation Plan reduces the operation from a “high risk” to a “mitigated low risk”.

Matt Thompson, a consultant that helped design the Mitigation Plan, also gave some testimony.

Having no other testimony to be presented, the Board closed the Public Hearing. The Board discussed the arguments presented during the Public Hearing and unanimously approved a MOTION to deny the appeal.

Having no other business to come before the Board, the meeting was adjourned.