

Twin Falls, Idaho
REGULAR FEBRUARY MEETING
February 1, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 31 January. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of INDIGENT

Commissioner Kramer motioned to go into executive session pursuant to Idaho Code 67-2345D. Second by Commissioner Urie. Motion passed after roll call vote (Kramer yes, Urie yes, Mikesell absent).

Commissioner Kramer motioned to return to regular session. Second by Commissioner Urie. Motion passed.

Commissioners returned to regular session at 9:24 a.m.

Commissioner Urie motioned to approve case number 95683. Second Commissioner Kramer. Motion failed.

Commissioner Urie motioned to approve case number 95375 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95628 with a \$10.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95558 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95569 with a \$25.00 per month payback. Second Commissioner Urie. Motion failed (Kramer yes).

Commissioner Urie motioned to approve case number 95587. Second Commissioner Mikesell. Motion passed.

Commissioner Kramer motioned to approve case number 95047. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95699 with a \$50.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95659 with a \$10.00 per month payback. Second Commissioner Urie. Motion passed (Mikesell no).

Commissioner Kramer motioned to approve case number 95619. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 94937. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 91353/80020. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95629. Second Commissioner Kramer. Motion failed.

Commissioner Urie motioned to approve case number 95711 with a \$75.00 per month payback. Second Commissioner Kramer. Motion passed.

In the Matter of CONSENT CALENDAR

Items include: status reports, tax cancellation request by Assessor

Commissioner Kramer motioned to approve status sheets as presented. Second Commissioner Urie. Motion passed.

Commissioner Kramer motioned to cancel the second half property taxes for \$225.48 on parcel RPT21500000040. Second Commissioner Urie. Motion passed (Mikesell absent).

Assessor Gerald Bowden stated we have subdivisions and value them at the point of improvement. If they are still farming the land we will put it on a farm land value. If it is just dirt, we value it at an unimproved land value. We look at each lot individual to determine how developed it is. This particular subdivision, the Appraiser went out and noted that everything above and to the east was fully finished and ready to go, but the area to bottom part was basically unimproved lots. They were not farming it. The data entry person made an error and did not take the 90% off. They were valued as full unimproved lots. We sent out assessment notices and I wish the owner had noticed where the value was and he did not. When he received his tax bill he then brought it to our attention. We went out and looked at it again and they are unimproved lots.

Commissioner Kramer motioned to approve the change in valuation on the packet of subdivision parcels as presented and that we cancel the penalty and interest that has accumulated on these properties and we put the tax remaining due on the second half of each one of these. Second Commissioner Urie. Motion passed (Mikesell absent).

In the Matter of TAXES–MISCELLANEOUS

Commissioners met to discuss parcel number RPT0521000019BA.

Treasurer Debbie Kauffman stated this Notice of Pending Issue has been sent out. Mr. Wall came in the other day and this Pending Issue is on a piece of property that is 7 feet by 125 feet. It's part of his yard. He came in for several years and received a hardship exemption on the big parcel. He

now receives circuit breaker so they are paid in full. The parcel in question is in line to be tax deduced.

Commissioner Kramer motioned to cancel the 2004 2005 taxes, penalty, and interest on parcel RPT0521000019BA for the sum of \$24.96. Second Commissioner Urie. Motion passed (Mikesell absent).

In the Matter of CONTRACT

Commissioners considered a contract with Northpoint Public Institute for Management.

Commissioner Kramer motioned to approve the Northpoint Agreement with the change from two million dollars to one million dollars in the liability insurance. Second Commissioner Urie. Motion passed (Mikesell absent).

In the Matter of RESOLUTION

Commissioner Kramer motioned to approve Resolution No. 2008-4 that will cause the destruction of indigent files that are unnecessary from 2000-2002. Second Commissioner Urie. Motion passed.

RESOLUTION NO. 2008-4

A RESOLUTION ORDERING CERTAIN RECORDS
TO BE DESTROYED

WHEREAS, Twin Falls County Assistance has certain old files which need to be destroyed;
and

WHEREAS, Idaho Code §31-871 governs the destruction of county records and classifies records as permanent, semi-permanent, and temporary; and

WHEREAS, Idaho Code §31-871(2) states records may only be destroyed by Resolution of the Board of County Commissioners after regular audit and upon the advice of the Prosecuting Attorney;

NOW, THEREFORE, BE IT RESOLVED by the Board of Twin Falls County Commissioners that the inactive indigent files including medical (specifically denied, medicaid approved and withdrawn) and non-medical files that are closed and/or paid in full from 2000 through 2002 are hereby order destroyed.

DATED this 1 day of February, 2008.

TWIN FALLS COUNTY BOARD OF
COMMISSIONERS

Tom Mikesell, Chairman

/s/ George Urie
George Urie, Commissioner

/s/ Terry Ray Kramer
Terry Ray Kramer, Commissioner

ATTEST:

/s/ Kristina Glascock
Kristina Glascock, Clerk

In the Matter of LAND USE

Commissioner Kramer motioned to approve the Findings of Fact for the following subdivisions, Quail Ridge Estates PUD, Desert Falls subdivision, Stone Ridge Subdivision. Second Commissioner Urie. Discussion Commissioner Urie these have been through Planning and Zoning at the City and approved with conditions attached. Motion passed (Mikesell absent).

In the Matter of CONTRACT

Linda Mann, Juvenile Detention, what we're looking at is contracting with Inga Elkin who has the necessary qualifications to contract with us for this position in Juvenile Detention. We did receive the contract back from legal and there are a few items on it that I had questions about. I emailed those to you this morning. Commissioner Kramer the first change is to add Exhibit A and B. On paragraph 3 we will add at least 85%. Ms. Mann I disagree it needs to say clinical screening and interview of at least 85%. Commissioner Kramer on number 9 I thought we would say the contractor shall supply at the contractor's sole expense, all equipment, tools, materials and/or supplies to accomplished the services to be provided herein unless allowed to be paid for by the grant. Ms. Mann very good. What about how we are actually going to be involving her. Commissioner Kramer we didn't think it was an issue. Ms. Mann since the source of the funding is from DJC and I just thought that is how it is going to be submitted to directly DJC. If it's the other way I need to know. Commissioner Kramer we know for a fact this money is not coming to the County. Ms. Mann yes. Commissioner Kramer so this is correct. You are the County. Ms. Mann okay then we are good.

Commissioner Kramer motioned to approve the Professional Services Agreement with Inga Elkin with the corrections previously discussed for the Juvenile Detention Center. Second Commissioner Urie. Discussion. Linda Mann I was wondering when I would have it. Commissioner Kramer we will try to get it done today. We will be done next week. Motion passed (Mikesell absent).

In the Matter of TAXES-MISCELLANEOUS

Commissioners approved cancellation of \$225.48 in tax on parcel number RPT21500000040 due to the land being partially improved.

In the Matter of TAXES-MISCELLANEOUS

Commissioners canceled 2007 property taxes on the following parcels due to an error in assessment: Parcel # RPT51880040020 In the Amount of: \$465.46

Parcel # RPT51880050120	In the Amount of: \$450.72
Parcel # RPT51880050130	In the Amount of: \$424.34
Parcel # RPT51880050140	In the Amount of: \$424.34
Parcel # RPT51880050150	In the Amount of: \$424.34
Parcel # RPT51880050160	In the Amount of: \$427.16
Parcel # RPT51880050170	In the Amount of: \$436.88
Parcel # RPT51880050180	In the Amount of: \$436.88
Parcel # RPT51880050190	In the Amount of: \$431.50
Parcel # RPT51880050200	In the Amount of: \$433.12
Parcel # RPT51880050210	In the Amount of: \$445.00
Parcel # RPT51880070030	In the Amount of: \$446.02
Parcel # RPT51880070040	In the Amount of: \$435.86
Parcel # RPT51880070050	In the Amount of: \$438.75
Parcel # RPT51880070060	In the Amount of: \$432.96
Parcel # RPT51880070070	In the Amount of: \$432.96
Parcel # RPT51880070080	In the Amount of: \$438.75
Parcel # RPT51880070090	In the Amount of: \$430.08
Parcel # RPT51880070100	In the Amount of: \$436.81
Parcel # RPT51880070110	In the Amount of: \$436.81
Parcel # RPT51880070120	In the Amount of: \$456.73
Parcel # RPT51880070130	In the Amount of: \$460.72
Parcel # RPT51880070140	In the Amount of: \$446.02
Parcel # RPT51880070150	In the Amount of: \$446.02
Parcel # RPT51880070160	In the Amount of: \$438.75
Parcel # RPT51880070170	In the Amount of: \$426.08
Parcel # RPT51880070180	In the Amount of: \$431.50
Parcel # RPT51880070190	In the Amount of: \$426.08
Parcel # RPT51880070200	In the Amount of: \$420.72
Parcel # RPT51880070210	In the Amount of: \$420.72
Parcel # RPT51880070220	In the Amount of: \$444.49
Parcel # RPT51880070230	In the Amount of: \$444.49
Parcel # RPT51880080010	In the Amount of: \$463.61
Parcel # RPT51880080020	In the Amount of: \$452.18
Parcel # RPT51880130100	In the Amount of: \$440.91
Parcel # RPT51880130110	In the Amount of: \$457.98
Parcel # RPT51880130120	In the Amount of: \$486.86
Parcel # RPT51880140010	In the Amount of: \$448.69
Parcel # RPT51880140020	In the Amount of: \$433.11
Parcel # RPT51880140030	In the Amount of: \$431.50
Parcel # RPT51880140040	In the Amount of: \$443.97
Parcel # RPT51880140050	In the Amount of: \$438.75
Parcel # RPT51880140060	In the Amount of: \$438.75
Parcel # RPT51880140070	In the Amount of: \$424.34
Parcel # RPT51880140080	In the Amount of: \$427.16
Parcel # RPT51880140090	In the Amount of: \$430.08

Parcel # RPT51880140100 In the Amount of: \$444.49
Parcel # RPT51880140110 In the Amount of: \$426.09
Parcel # RPT51880140120 In the Amount of: \$428.83
Parcel # RPT51880140130 In the Amount of: \$428.82
Parcel # RPT51880140140 In the Amount of: \$430.55
Parcel # RPT51880140190 In the Amount of: \$475.61
Parcel # RPT51880140200 In the Amount of: \$482.51
Parcel # RPT51880140210 In the Amount of: \$477.36
Parcel # RPT51880140220 In the Amount of: \$480.79
Parcel # RPT51880140230 In the Amount of: \$490.21
Parcel # RPT51880140240 In the Amount of: \$477.78
Parcel # RPT51880140250 In the Amount of: \$459.81
Parcel # RPT51880140260 In the Amount of: \$485.93
Parcel # RPT51880160030 In the Amount of: \$445.00
Parcel # RPT51880160040 In the Amount of: \$445.00
Parcel # RPT51880160050 In the Amount of: \$430.55
Parcel # RPT51880160060 In the Amount of: \$435.73
Parcel # RPT51880160070 In the Amount of: \$438.31
Parcel # RPT51880160080 In the Amount of: \$445.76
Parcel # RPT51880160090 In the Amount of: \$445.76
Parcel # RPT51880160100 In the Amount of: \$445.76
Parcel # RPT51880160110 In the Amount of: \$460.72
Parcel # RPT51880160120 In the Amount of: \$465.57
Parcel # RPT51880170010 In the Amount of: \$463.24

In the Matter of MEETING

Commissioners met with James Gose-Eells, Parks Director, and Kali VanLeeuwen, Weed Superintendent.

In the Matter of MEETING

Commissioners met with Debbie Kauffman, Treasurer.

In the Matter of MEETING

Commissioners met with Kristina Glascock, Clerk, regarding e-citations.

In the Matter of MEETING

Commissioner Mikesell attended an Idaho Association of Counties board meeting in Boise.

In the Matter of HUMAN RESOURCES

Commissioners accepted the resignation of Linda Billingsley, Parks and Waterways Secretary.

In the Matter of HUMAN RESOURCES

Commissioners accepted the resignation of Lisa McClellan, Juvenile Probation.

In the Matter of HUMAN RESOURCES

Commissioners approved the layoff of Janice Lang, Treasurer's Office.

In the Matter of HUMAN RESOURCES

Commissioners approved the layoff of Kathie Maxwell, Treasurer's Office.

In the Matter of HUMAN RESOURCES

Commissioners approved the layoff of Stacy Nussbaum, Treasurer's Office.

In the Matter of HUMAN RESOURCES

Commissioners approved the layoff of Yvonne Steinberg, Treasurer's Office.

In the Matter of HUMAN RESOURCES

Commissioners approved the layoff of Pauline Weiner, Treasurer's Office.

There being no further business, the Board recessed until 8:00 a.m., February 4, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING
February 4, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 1 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of MEETING

Commissioners attended the Idaho Association of Counties Mid-Winter Conference in Boise.

There being no further business, the Board recessed until 8:00 a.m., February 5, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING
February 5, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 4 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of MEETING

Commissioners attended the Idaho Association of Counties Mid-Winter Conference in Boise.

There being no further business, the Board recessed until 8:00 a.m., February 6, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING
February 6, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 5 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of MEETING

Commissioners attended the Idaho Association of Counties Mid-Winter Conference in Boise.

There being no further business, the Board recessed until 8:00 a.m., February 7, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING
February 7, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 6 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of MEETING

Commissioners attended the Idaho Association of Counties Mid-Winter Conference in Boise.

There being no further business, the Board recessed until 8:00 a.m., February 8, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING
February 8, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 7 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to

wit:

In the Matter of INDIGENT

Commissioner Kramer motioned to go into executive session pursuant to Idaho Code 67-2345D. Second by Commissioner Urie. Motion passed after roll call vote (Kramer yes, Urie yes, Mikesell absent).

Commissioner Kramer motioned to return to regular session. Second by Commissioner Urie. Motion passed (Mikesell absent).

Commissioners returned to regular session at 9:57 a.m.

Commissioner Kramer motioned to approve case number 95645, 95641, 95635, 95653, and 95636. Second Commissioner Urie. Motion failed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95663 with a \$50.00 per month payback. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95633 with a \$20.00 per month payback and review in three months. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95646 with a \$25.00 per month payback. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95706 with a \$100.00 per month payback to begin in April. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95440 with a \$20.00 per month payback. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95622. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95155. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95516. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95634. Second Commissioner Urie. Motion failed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95642. Second Commissioner Urie. Motion failed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95718 with a \$100.00 per month payback and review in one year. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95716 with a \$25.00 per month payback. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95552 and continue same payback. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95657. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95719. Second Commissioner Urie. Motion failed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95345 with a \$20.00 per month payback. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95537. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95674 with a \$25.00 per month payback. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95707 with a \$50.00 per month payback. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95626. Second Commissioner Urie. Motion failed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95722 with a \$10.00 per month payback. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95637 with a \$25.00 per month payback. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95730. Second Commissioner Urie. Motion passed (Mikesell absent).

There being no further business, the Board recessed until 8:00 a.m., February 11, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING

February 11, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 8 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of CONSENT CALENDAR

Items include: status reports

Commissioner Kramer motioned to approve the status reports as presented. Second Commissioner Urie. Motion passed (Mikesell absent).

In the Matter of BID

Commissioners opened bids for the construction of a garage at the DMV Building for the Coroner. Bids were received from:

Hayes Construction \$315,061.00

CCMG Incorporated \$312,965.00

Harris Incorporated \$337,500.00

Commissioner Kramer motioned to take these three bids under advisement and we'll make a decision within 10 days. Second Commissioner Urie. Motion passed (Mikesell absent).

In the Matter of FEE INCREASES

James Gose-Eells, Parks Director, the fee increases for Murtaugh RV Park, Rock Creek RV Park, and Twin Falls County Waterfront Park. We hope to be at our facilities at a level of what local RV places are at. We did comparisons on their costs, amenities, and we also looked at some state parks in Burley, Mountain Home, Pocatello and examined those. The fee increases are meant to be used to generate revenue to add to the parks. For Murtaugh Lake, we are planning on new BBQ pits, a pavilion and a new road. This is something we can't afford at this point. New trees and tables and benches. Our 50 amp service is lacking. We have a hard time with the older electrical out there. The day use area, this year, we have trees and shrubs blocking the visual down there and we will have them removed with one large shade tree planted in an optimal spot, the docks repaired and benches fixed and a new kiosk and drinking water fountain; however, those may be another year off. I have requested about a shower and dump station out there, but if we don't have an increase in revenue we won't see this.

Anderson Camp in Eden has 120 RV units \$30 per night, 20 tent units \$22 per night, they have a lot of amenities we don't have much the same as the KOA in Jerome. The KOA is at \$33 out there. Nat Soo Pah, dump station, full hookup, showers, pool, \$16 a night w/ 75 RV units. Oregon Trail cable tv hookup, handicap laundry, \$22 a night, tenting starts at \$16 per night. These are a little bit above what we offer. The County Fairgrounds is at \$15 plus tax. Elks Flat Campground, Thomas Flat, no shower, hand pump, vault toilets, is \$8 per night. In Cascade, \$10 per night. Howards at Lowman \$8 per night. I can't see where you can go that is much less than that and we offer more. Commissioner Urie are the dog fees in addition. Mr. Gose-Eells yes. On the board we had

recommended a \$5 per night overnight fee for dogs, as well as doubling the tent fee.

James Olsen presented a letter from Bill Price addressed to the Board of County Commissioners.

Mr. Gose-Eells I believe the care has gone up at the facility. We have done things to take care of the docks out there. I heard everyone seemed to like those docks out there. We have put \$86,000 into the park and I'm surprised to hear this. Last summer, we did struggle. Commissioner Urie are parks and waterways separate? Mr. Gose-Eells it was put into the waterways improvement fund.

Jim Bryant, Cassia County, we have people come in from Boise and all over. We're bringing fresh new money into this County. Of course they're trying to pull us to go to the other way. Wilson Lake is free and begging us to come. Darrell Heider run that park for years. He ran parks and the solid waste section. He never went over budget. The best he ever done is chew us out. He give us the key and told us to water and mow the lawn. You clean the mess up. A lot of expertise there and maybe we need to contact him and see if he can help out with the situation of running parks at a reasonable cost. No one complained about the conditions of the park back then. On what I call the Dean's Cove side of the park there may be two or three boat docks left. No one maintains them now. There may be two spots to tie the boat up and safe. Those docks are gone under the new management. We're always making suggestions. We've suggested a thousand time go to the Jail and get prisoners and cut the costs. Right now this last summer you want to talk about raising rates, I spent personally probably over \$200 in gas. We pull the stuff from the lake and keep it clean and safe. It cost us money but we never ask for no money in return for it. We've always done it. On Johnny Horizon Day we go down and walk the lake bed and pick up the beer bottles and glass and clean the place up. On the other side of the lake the Ledbetters done the same thing. The Parks Department has chased them off and told us to knock it off. The police department uses us at their backups. They know and come to us when there is a problem. When he's doing his comparison of the parks he's comparing private parks which someone had to go buy and make a profit. The RV sticker the grant brought that park. We don't need the profit. As far as dog fee goes, there's people that come in for day use, there are people that sneak in in the middle of the night, I don't have a dog, I carry a shovel, I clean it up. She brings her dog in, but I guarantee you she cleans up the dog poop. We don't mind, its part of being a good citizen. I've never seen him or his crew go out and pick up dog poop. My uncle has been going there for 50 years. He bought and paid for the grass on the Dean's Cove side. We watered it with five gallon buckets. The Waterways paid for three fourths of the grass. They ran out of money me and Bill Price reached in our pockets and bought six more pallets of grass to complete the job. We didn't have a problem with that. My uncle cannot afford this. He has a mentally retarded son who likes to put up his tent. He gets \$450 a month from Social Security, he can't afford this. I myself have been going there since I was 8 years old but when it comes time to do anything and we tell them it won't work, they do it anyway. The floating docks are anchored out there about 15 years ago. They have bird poop on it deep. You can't use them. A couple years ago they proposed taking a whole big section out there. It's the Parks man that took them docks out there on Parks time. This is why the cost is out of control.

Kim Leedom I have a letter from my husband who couldn't be here.

Scott Osterhout, Heyburn, me and my wife have been going down there 20 years for comradery.

We've have met a lot of nice people out there. I can understand needing an increase. I think maybe the issue is practically doubling the cost to stay down there. We go down at least two weekends a month. There's a lot of difference between \$24 a weekend and \$45 a weekend. Plus we have 3 dogs. \$100 weekend isn't going to happen. I understand that they did take the old playground equipment out. How much of the funds are going to go improve the park. As far as a camper how important is the playground equipment to the overall populations of people who frequent the park. Is it more important to have a new teeter totter or water and power to every parking space. No matter where you go down there, if you have electric and water you're lucky. There aren't fire pits or anything. The only way to get a hookup is to call the camp host and request a spot early enough to get that. I think the main burr under the saddle is the fee on the dogs. That's going to hurt a lot of people and the unavailability of full hookup for every spot out there.

Mr. Gose-Eells, costs have gone up out there. We do have a full time camp host. We decided as a group of people to discuss increasing fees with the Parks Board quite some time ago. It was on our agenda three times and we didn't have public involvement at that time. If we're too high we're too high. You don't have to come down on things that have or have not happened at the park. I think that over the last two years we've seen having someone out there to handle situations and try and curb people coming in at 3 in the morning. My own personnel and staff are out there dragging hoses a lot. We do have problems with the 30 year old system out there but that's the reason we are looking for additional funds. The fee on dogs was something that was kicked around a lot. We discussed various prices and came up with \$5 a night. Everything is connected out there. You can't have one improvement and say it is just for waterways. It may be one year waterways and one year parks. We only have enough staff. We concentrated on waterways last year and there is more work to be done on that as well. The playground equipment there was not passing inspection so we took it out.

Commissioner Urie my suggestion is we need to take this back to the Board. We need to look at more specifics like what needs updated and upgraded on the RV portion. What does it cost us now for the RV park. Look at possible year passes at a discount, senior citizens. I think there are more things that need to be looked at a little more in depth than they have been.

Commissioner Kramer motioned to table this and gather further information to bring back in the future. Second Commissioner Urie. Motion passed (Mikesell absent).

In the Matter of MEETING

Commissioner Kramer attended the American Falls Reservoir District board meeting.

In the Matter of AIRPORT

Commissioner Urie attended an airport meeting regarding the upcoming summer air show.

In the Matter of HUMAN RESOURCES

Commissioners approved the transfer of David Nutting from CDC to Juvenile Detention, at \$13.00 per hour.

In the Matter of HUMAN RESOURCES

Commissioners approved the appointment of Geri John, Civil Clerk III, Sheriff's Office, at \$12.00 per hour.

In the Matter of HUMAN RESOURCES

Commissioners approved the layoff of Jerie Barton, part time help Treasurer's Office.

In the Matter of HUMAN RESOURCES

Commissioners approved a pay increase for Holly Cunningham, Appraiser Trainee, Assessor's Office, at \$14.43 per hour.

There being no further business, the Board recessed until 8:00 a.m., February 12, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING
February 12, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 11 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of INDIGENT

Commissioner Kramer motioned to go into executive session pursuant to Idaho Code 67-2345D. Second by Commissioner Urie. Motion passed after roll call vote (Kramer yes, Urie yes, Mikesell absent).

Commissioner Kramer motioned to return to regular session. Second by Commissioner Urie. Motion passed.

Commissioners returned to regular session at 9:25 a.m.

Commissioner Kramer motioned to approve case number 95668. Second Commissioner Urie. Motion failed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95633. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95720. Second Commissioner Urie. Motion failed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95709. Second Commissioner Urie. Motion failed. (Mikesell absent).

Commissioner Kramer motioned to approve case number 95528. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95676. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95480. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95497. Second Commissioner Urie. Motion passed. (Mikesell absent).

Commissioner Kramer motioned to approve case number 95338. Second Commissioner Urie. Motion passed. (Mikesell absent).

Commissioner Kramer motioned to approve case number 95640. Second Commissioner Urie. Motion failed. (Mikesell absent).

Commissioner Kramer motioned to approve case numbers 91353 and 80020 for a consensual lien. Second Commissioner Urie. Motion passed. (Mikesell absent).

In the Matter of TREE COMMISSION

Commissioners met with James Gose-Eells, Parks Director, regarding the Tree Commission.

In the Matter of EMERGENCY SERVICES

Commissioner Kramer attended the LEPC meeting.

In the Matter of MEETING

Commissioner Kramer attended the Leadership Idaho Agriculture alumni session.

There being no further business, the Board recessed until 8:00 a.m., February 13, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING
February 13, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 12 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of TREE COMMISSION

Commissioner Urie attended the Tree Commission meeting.

In the Matter of MEETING

Commissioner Urie attended Rotary.

In the Matter of MEETING

Commissioner Kramer attended the Leadership Idaho Agriculture alumni session.

There being no further business, the Board recessed until 8:00 a.m., February 14, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING
February 14, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 13 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of MEETING

Commissioner Kramer attended the Leadership Idaho Agriculture alumni session.

In the Matter of MEETING

Commissioner Urie attended the Magic Valley Electric Plan Advisory Committee meeting in Jerome.

There being no further business, the Board recessed until 8:00 a.m., February 15, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING
February 15, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 14 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

There being no further business, the Board recessed until 8:00 a.m., February 19, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING
February 19, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 15 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of INDIGENT

Commissioner Urie motioned to go into executive session pursuant to Idaho Code 67-2345D. Second by Commissioner Kramer. Motion passed after roll call vote (Kramer yes, Urie yes, Mikesell yes).

Commissioner Kramer motioned to return to regular session. Second by Commissioner Urie. Motion passed.

Commissioners returned to regular session at 9:38 a.m.

Commissioner Kramer motioned to approve case number 95723. Second Commissioner Urie. Motion failed.

Commissioner Urie motioned to approve case number 95556. Second Commissioner Mikesell. Commissioner Mikesell motioned to amend the motion for a \$25.00 per month payback. Second Commissioner Kramer. Amendment passed. Motion passed.

Commissioner Kramer motioned to approve case number 95734 with a \$50.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95727 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95676. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95669. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95739 with a \$50.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95731 with an additional \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95650 with a \$100.00 per month payback.

Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve \$400 rent payment with a \$5.00 per month payback on case number 95694. Second Commissioner Kramer. Motion passed.

Commissioner Urie motioned to approve case number 95661. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95725. Second Commissioner Urie. Motion failed.

Commissioner Urie motioned to approve case number 95724 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95662 with a \$100.00 per month payback. Second Commissioner Urie. Motion failed.

Commissioner Urie motioned to approve case number 95649 with a \$50.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95442. Second Commissioner Urie. Motion passed.

In the Matter of CONSENT CALENDAR

Items include: status reports, tax cancellation by Treasurer

Commissioner Urie motioned to approve status reports as presented. Second Commissioner Kramer. Motion passed.

Commissioner Urie motioned to approve tax cancellation requests by Treasurer as presented. Second Commissioner Kramer. Motion passed.

In the Matter of GRANT

Commissioners considered a grant with Health and Welfare.

Commissioner Kramer motioned to approve. Second Commissioner Urie. Discussion. Commissioner Kramer this just changes the lines of what they pay this out of. Motion passed.

In the Matter of LAND USE

Commissioners considered a Resolution for extension of time for siting team.

Rick Dunn, Planning and Zoning Administrator, this request was due to the weather. At the time there was a lot of snow and frost on the ground. They were out there last Tuesday but have not submitted the report yet.

Commissioner Kramer motioned to approve the extension for 30 days of the siting team Resolution 2008-5. Second Commissioner Urie. Motion passed.

RESOLUTION NO. 2008-5

WHEREAS, Twin Falls County Planning and Zoning has received an application to construct a new animal feeding operation facility; and

WHEREAS, this operation will be located in Section 7, Township 11 South, Range 19 East located in the Agricultural Zone and addressed approximately as 3950 East 3300 North, Hansen, Idaho; and

WHEREAS, this will be a new animal feeding operation at three thousand seven hundred fifty six point four (3,756.4) animal units; and

WHEREAS, on January 14, 2008, the Board of Twin Falls County Commissioners adopted Resolution 2008-3 requesting the siting advisory team; and

WHEREAS, per Idaho Code the site advisory team has thirty (30) days to complete a site evaluation and due to inclement weather the site advisory team is requesting an extension to complete the evaluation;

NOW, THEREFORE, BE IT RESOLVED that the Twin Falls County Board of Commissioners recommend an extension be granted until March 17, 2008, and that the site advisory team give Twin Falls County officials their recommendation as to this new CAFO.

DATED this 19 day of February, 2008.

TWIN FALLS COUNTY BOARD OF
COMMISSIONERS

/s/ Tom Mikesell

Tom Mikesell, Chairman

/s/ George Urie

George Urie, Commissioner

/s/ Terry Ray Kramer

Terry Ray Kramer, Commissioner

ATTEST:

/s/ Kristina Glascock

Kristina Glascock, Clerk

In the Matter of AIRPORT

Commissioners considered a Skywest lease agreement addendum.

Commissioner Urie motioned to approve the contract with Skywest at the airport for additional square feet of space usage. Second Commissioner Kramer. Discussion. Commissioner Kramer this is to install new ground to air support equipment. Motion passed.

In the Matter of COMMISSIONER PROCEEDINGS

Commissioners considered tax exempt status at Home Depot.

Commissioner Kramer motioned to approve. Second Commissioner Urie. Discussion. Commissioner Kramer this is a request by the Home Depot in order for the County to have a tax exempt status at the store. Motion passed.

In the Matter of GRANT

Commissioners considered a grant for the JABG Accountability Program.

Commissioner Kramer motioned to approve the JABG Project Award. Second Commissioner Urie. Discussion. Commissioner Mikesell that is the amount of \$4,000 for Juvenile Probation. Commissioner Urie all of the commitments have been signed off by Kevin and Kristina. Motion passed.

In the Matter of CONTRACT

Commissioners considered a contract with Leads Online.

Commissioner Urie motioned to approve the LeadsOnline contract for the Sheriff's Office. Second Commissioner Kramer. Discussion. Commissioner Kramer leadsonline is a program that will help them in chasing down pawn shops and pawned materials. This is on a regional basis and they will be able to track items. It also gives them access to a larger database. Motion passed.

In the Matter of CONTRACT

Commissioners considered a contract with Lexis Nexis.

Commissioner Urie motioned to approve the LexisNexis contract for the Sheriff's Office. Second Commissioner Kramer. Discussion. Commissioner Urie this is a software program that we pay for each year to aid the Sheriff in his research. Commissioner Kramer continuing program we have been using. Motion passed.

In the Matter of MEETING

Commissioner Kramer attended the Soil Conservation District meeting.

In the Matter of TAXES–MISCELLANEOUS

Commissioners approved cancellation of 2006 property taxes, penalty and interest on parcel number MH10S17E18072BA.

In the Matter of TAXES–MISCELLANEOUS

Commissioners approved cancellation of 2006 property taxes, penalty and interest on parcel number MHPT020000260AA.

In the Matter of HUMAN RESOURCES

Commissioners approved the appointment of Pamela Wright, Administrative Assistant, Commissioners' Office, at \$12.50 per hour.

In the Matter of HUMAN RESOURCES

Commissioners accepted the resignation of Kathryn Vaught, Planning and Zoning.

In the Matter of HUMAN RESOURCES

Commissioners approved the part time temporary appointment of Mahana Gomes, Exemption Clerk, Assessor's Office, at \$10.30 per hour.

There being no further business, the Board recessed until 8:00 a.m., February 20, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING
February 20, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 19 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of LAND USE

Commissioners held an appeal hearing on Planning and Zoning's decision to grant a conditional use with conditions.

David Gadd, representing the Werts. We've already briefed this matter thoroughly. If you have any questions feel free to ask. As far as the background the Wert's own the property in Upper Rock Creek Ranches in Hansen. There is a residence up past the Wert property and residences down along the road. They purchased the property a few years ago and have intended since that time to build a private residence on the property as well as a garage/shop. The plans for the garage exceed the maximum square footage so they have applied for a special use permit and it's the conditions upon that permit for why we are here today. At the Planning and Zoning Commission hearing, the Commission granted the permit upon certain conditions. One was this road be upgraded to Uniform Fire Code widening it to 20 feet and grading it with 8 inches of gravel and turnouts every 150 feet to allow emergency vehicles. Based on the location of utility poles and some homes, this is impossible for the Werts to do. We are here today to ask you mirror the condition to that of the building permit or to do away with the condition all together. The Werts filed an application for building permit which was granted and the building permit stated access must be completed and

approved by fire department prior to framing. Chief Hendrick stated upgrading this road would be impossible. He required it to be widened to 15 feet and any large boulders or rocks be removed or covered and that the road be graded and that the section of the road between the public highway and the bridge be cleaned out with a blade so it is more accessible to emergency vehicles. Chief Hendrick made assurances to my clients if they do this he will approve the road. The conditions of the special use permit as considerably more restrictive. Twin Falls Code 8-1-5(D) which provides for enforcement of this Title it shall be deemed equally to each person and property of similar circumstances and shall not be discriminated compared to all others similarly situated. As I stated, there are residences along this road but none of those residences were ordered to improve the road up to their point. Mr. Wert is being asked to provide the road up to Uniform Fire Code. Additionally the owner of the property prior to the Werts was granted a building permit without these conditions whatsoever. It seems a violation of Twin Falls County Code that one owner was asked to make improvement and another one is not. Second is the fact that the fire department, who is the agency that has jurisdiction over enforcement of the International Fire Code, is saying it will approve this road if the Werts make improvements but the Planning and Zoning Commission says they will not approve it without more restrictions. The Planning and Zoning Commission's authority and powers are limited by Twin Falls County Code 8-3-8(E). The fact it is not mentioned in there that the Planning and Zoning Commission is not charge with enforcement of the International Fire Code it is left with Rock Creek Fire who has said what is exactly required by the Werts. Everyone believes this road needs to be improved and when they bought the property they were going to make improvements. My last point is that the Planning and Zoning Commission, by considering the Fire Code, took into consideration factors that it was authorized to consider. The factors they are to consider is in 8-7-7 as included in our brief. This is something that the Werts have looked forward to doing, building this property, this is going to be their sanctuary. His shop is for private purposes and will not be a business. Instead of being able to build that house and shop on this property they purchased for around 60 or 70,000 he will be forced to make these improvements which are several hundred thousand dollars. We have private owners on separate sides of the road so in order to widen the road they will have to either purchase the property or easements. They do not have the power of eminent domain and are subject to the willingness of the owners to purchase the property. One home is only 11 feet from the road which would leave the house 3 to 4 feet from the road. The power poles will have to be removed further away so the road can be widened. While improvements are being conducted, the property owners will not even have access to their own home. This is impractical and an unfeasible solution to this property. The Werts and Chief Hendrick have worked out the conditions.

Rick Dunn, Planning and Zoning Administrator, we didn't bring things to address the building permit or the previous owner's building permit. The previous owner did have the same requirement and there is a road maintenance agreement in place with the owners.

Bill Crafton, Planning and Zoning Director, I would like to object to several items brought up here. This hearing is supposed to be based on the record and we ask that those things be not considered at this hearing as it is not a de novo hearing but based on the record. On the 8th of November we heard the conditional use application by Mr. Wert to construct approximately 4,992 building on 4.7 acres. The Commission took comments on this and the notice was properly noticed. All the things that were considered at the hearing are available to you. Part of the contention on the applicant's part

whether it is inappropriate for the Commission to place conditions on I would refer to 8-7-7 A though E. It gives the Commission broad latitude to place conditions on applications before the board. If this building was 2,000 square feet or less they wouldn't have to come for a conditional use but it doesn't mean it would have changed. The letter we have from the fire district states the road needed to be widened. We asked Mr. Wert if he understood and he stated he did. Based on what happens over time we have no control over that because regulations change over time. With respect to the findings of the Commission we look at if it will be compatible to other uses in the neighborhood. With respect to that the Commission found it would not adversely affect if it was approved based on conditions of the building not being over 35 feet. Mr. Wert was aware it was the use he was asking for was not an allowed use. If he builds the building less than 2,000 square feet, it's a non issue. The question before the Board is has the Commission required something that they do not have the authority to require. I don't think it's a matter of the board substituting their judgment. This is a life safety matter. If the applicant has worked out some type of agreement that should have been part of this record. We ask that the recommendation of the Planning and Zoning Commission stand.

Commissioner Urie who owns the existing road and is there any easements at all out there? Mr. Dunn I do not have the answer. Mr. Crafton there are a couple ownerships involved in this. This road was granted to the Sligars for the gravel pit. I'm not sure of the easements but I believe there are private roads. Commissioner Urie if there are easements then there are no purchases to be made. Was this a subdivision in the beginning? Mr. Crafton this is a miscellaneous plat of survey from 1977. Most of the lots have been sold previously to the County rewriting the ordinance in 98 and they were required not to go in and change it.

Commissioner Kramer we have a document in here a road maintenance agreement that was signed on February 12, 2006, and a series of signatures. Did all of these people agree to the road maintenance agreement at that time? Mr. Crafton correct. Is that contiguous from one end to the other. Commissioner Kramer you said that if they don't have a conditional use they can get a permit? Mr. Crafton if the building is less than 2,000 square feet then it's a building issue not zoning. Commissioner Kramer is it up to the fire district to approve this? Mr. Dunn it's a condition of the approval.

Mr. Gadd the language on the building permit is just as I read it, approved by the fire department. Mr. Crafton I have to object to this as it was not part of the record. Mr. Gadd I understand that but we want to the conditions to mirror. Commissioner Mikesell thank you we understand that. This is not a de novo hearing.

Mr. Gadd to address one point Mr. Crafton made the basis the Commission authority on 8-7-7E that the proposed use necessitates higher standards of site development than listed specifically in this title in order for the proposed use to be compatible with other property uses in the vicinity. If such a determination is made, the commission may specify all such standards so determined to be necessary conditions to the conditional use and/or building permit. It sounded to me that Mr. Crafton was saying the Commission has the authority to impose whatever conditions it likes. Based on my reading of this section they can only impose conditions that are necessary in order to make the proposed use compatible and I don't believe the Planning and Zoning Commission made a specific

finding that these improvements would be necessary. Their authority is limited to only those conditions that are necessitated by higher standards of site development. They were not asking for increased traffic, hazards, or any other such standards of development.

Mr. Crafton a portion of the area I quoted is under A with the findings the Commission made. It was under that section they placed the condition of the property. If you read in the heading of 8-7-7 the Planning and Zoning Commission, after investigation and hearing of an application for conditional use permit, may either approve, modify or deny the application after hearing the evidence presented at public hearing. That is what they did. We're not going to belabor the point. We respect counsel's interpretation. We feel they have broad latitude to place the requirements.

Commissioner Kramer the document from the Rock Creek Rural Fire Department dated August 22, 2007, to the Twin Falls County Planning and Zoning. This was the document that was utilized for the decision and this was the only document presented at the hearing. As far as this is concerned this is the document we have to utilize at this point because it was the only document presented to us at this point. Mr. Crafton correct.

Commissioner Urie in your argument in the documents we have it said the guy that owns the property beforehand applied for a permit. Was this in the record for the first meeting? Mr. Crafton no. Commissioner Urie okay.

Commissioner Kramer I have to apologize, it's confusing to me because we have documents that were not presented at the hearing so for me to completely ignore that information it was difficult for me to understand so I had to make it clear in my own mind we only can consider the record.

Commissioner Kramer motioned to take the Darrell Wert appeal under consideration and give a written statement within 10 working days. Second Commissioner Urie. Discussion. Commissioner Mikesell I believe we can get this done in 10 days and any information we need from Planning and Zoning will get to us. Motion passed.

In the Matter of JUVENILE

Commissioners met with Jacie Urie, CDC.

In the Matter of MEETING

Commissioner Urie attended Rotary.

In the Matter of MEETING

Commissioner Kramer attended Mid Snake Regional meeting.

There being no further business, the Board recessed until 8:00 a.m., February 21, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING

February 21, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 20 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

There being no further business, the Board recessed until 8:00 a.m., February 22, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING
February 22, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 21 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of MEETING

Commissioner Urie attended the Congressional Medal of Honor presentation at O'Leary Junior High.

There being no further business, the Board recessed until 8:00 a.m., February 25, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING
February 25, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 22 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of CONSENT CALENDAR

Items include: status reports and hardship exemption

Commissioner Kramer motioned to approve status reports. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve hardship exemption. Second Commissioner Kramer. Motion passed.

In the Matter of BUDGET

Commissioners considered January accounts payable in the amount of \$2,398,898.99.

Commissioner Kramer motioned to approve January accounts payable. Second Commissioner Urie. Motion passed.

In the Matter of BIDS

Commissioners considered bids for the Coroner's Office remodel.

Commissioner Kramer stated he evaluated the bids and asked for input from the Coroner. The Coroner stated he had no major problems.

Commissioner Kramer motioned to award the bid to Hayes Construction at \$315,061 and \$26,558 for the walk in cooler as they were the lowest bid and a local firm. Second Commissioner Urie. Motion passed.

In the Matter of SENIOR CENTERS

Commissioners considered a request from the four Senior Citizen Centers for \$30,000 in funding to share between the four centers. Commissioner Kramer stated there is only \$15,000 in the fund we were looking at using.

Commissioner Kramer motioned to table this until there are further funding resources. Second Commissioner Urie. Motion passed.

In the Matter of HUMAN RESOURCES

Commissioners approved a promotion for Donald Newman to Law Enforcement Captain, Sheriff's Office, at \$26.99 per hour.

In the Matter of HUMAN RESOURCES

Commissioners accepted the resignation of Shelly King, Housekeeping.

In the Matter of HUMAN RESOURCES

Commissioners approved the appointment of Suzanne Simon as Receptionist/Secretary, Extension Office, at \$9.88 per hour.

There being no further business, the Board recessed until 8:00 a.m., February 26, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING
February 26, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 25 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer,

Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of INDIGENT

Commissioner Kramer motioned to go into executive session pursuant to Idaho Code 67-2345D. Second by Commissioner Urie Motion passed after roll call vote (Kramer yes, Urie yes, Mikesell yes).

Commissioner Urie motioned to return to regular session. Second by Commissioner Kramer. Motion passed.

Commissioners returned to regular session at 9:32 a.m.

Commissioner Urie motioned to approve case numbers 95667, 95666, 95744, 95670, 95665, and 95701. Second Commissioner Kramer. Motion failed.

Commissioner Urie motioned to approve case number 95758. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95753 with a \$50.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95743. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95732. Second Commissioner Urie. Motion failed.

Commissioner Urie motioned to approve case number 95741 with a \$50.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95664. Second Commissioner Urie. Motion failed.

Commissioner Urie motioned to approve case number 95687 with a \$10.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve one day protective hold on case number 95499. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95516. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95528. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95552. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95233. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95638. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95423. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95414. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95151. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95658 with a \$10.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95711. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95722. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95752. Second Commissioner Urie. Motion failed.

In the Matter of CONTRACT

Commissioners considered a Safe House Contract Amendment with Health and Welfare.

Commissioner Kramer motioned to approve the contract with Health and Welfare for the Safe House that will amend the cost billing procedure to reflect \$75.00 per day for the first ten days on all placements and \$125.00 per service for residential care rates. Second Commissioner Urie. Discussion. Commissioner Urie what did this change from the original. Commissioner Mikesell the first ten days can be less. Commissioner Urie the total is still the same. Motion passed.

In the Matter of PARKS AND WATERWAYS

Commissioners held Parks Commission interviews.

In the Matter of HEALTH INITIATIVE TRUST

Commissioner Mikesell attended the Health Initiative Trust meeting.

In the Matter of MEETING

Commissioner Mikesell met with Jack Oyler.

There being no further business, the Board recessed until 8:00 a.m., February 27, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING
February 27, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 26 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of INDIGENT

Commissioners held an indigent hearing on case number 95303.

The applicant was not present. No action taken.

In the Matter of INDIGENT

Commissioners held an indigent hearing on case number 95487.

Commissioner Kramer motioned to go into executive session pursuant to Idaho Code 67-2345 for indigent. Second Commissioner Urie. Motion passed (Kramer yes, Urie yes, Mikesell yes).

Commissioner Kramer motioned to take this under advisement until March 5th at which time we will make a decision. Second Commissioner Urie. Motion passed.

In the Matter of INDIGENT

Commissioner Kramer motioned to go into executive session pursuant to Idaho Code 67-2345D. Second by Commissioner Urie Motion passed after roll call vote (Kramer yes, Urie yes, Mikesell yes).

Commissioner Urie motioned to return to regular session. Second by Commissioner Kramer. Motion passed.

Commissioners returned to regular session at 10:33 a.m.

Commissioner Urie motioned to approve case number 95761. Second Commissioner Kramer. Motion failed.

In the Matter of LAND USE

Commissioner Kramer motioned to bring the Wert appeal off the table for consideration. Second

Commissioner Urie. Motion passed.

Commissioner Mikesell we had testimony on the 20th of February and it is time to render a decision.

Commissioner Kramer motioned to uphold the Planning and Zoning decision. Second Commissioner Urie. Discussion. Commissioner Urie I think using the facts that were presented at the Planning and Zoning hearing only. Commissioner Kramer and based on evidence presented by the Fire District is to uphold the decision made by Planning and Zoning. Commissioner Mikesell let me understand what you're saying because of Twin Falls County being not de novo and confined to the record and at the original hearing the Rock Creek Fire District had a letter that said it needed to meet an all weather road with 20 feet turnouts. That's the conditions placed on the conditional use permit. Motion passed.

In the Matter of SOLID WASTE

Commissioner Urie participated in the Solid Waste conference call.

In the Matter of MEETING

Commissioner Urie attended Rotary.

In the Matter of PARKS AND WATERWAYS

Commissioners held Parks Commission interviews.

In the Matter of SIRCOMM

Commissioner Mikesell attended SIRCOMM board meeting.

In the Matter of MEETING

Commissioners attended a Roadless Plan informational meeting.

There being no further business, the Board recessed until 8:00 a.m., February 28, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING
February 28, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 27 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of LAND USE

Commissioners held a rezone hearing for Dell Smith in the Twin Falls Area of Impact.

Rene'e Carraway, City of Twin Falls, on behalf of Dell Smith asking to have a piece of property

rezoned within the Area of Impact. It's on 3700 North between Hankins Road and 3300 East. He owns 55 acres with a home that is rented. He would now like to split the house off and sell it but continue to farm the property. The Comprehensive Plan currently recognizes industrial so changing it is consistent with the Comp Plan. On January 8th, the Planning and Zoning Commission unanimously recommended approval of this request subject to conditions. On February 4th, the City Council unanimously recommended approval with conditions. If this does go through and is approved, Mr. Smith will have to prepare a plat. We are just rezoning one acre on the northeast corner.

Commissioner Kramer motioned to approve the recommendations from the City which is to create the M-2 zone subject to the two conditions which is the amendments as required by building engineer, fire, zoning to ensure compliance with all applicable City Code requirements and standards and subject to arterial collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property. Second Commissioner Urie. Motion passed.

In the Matter of MEETING

Commissioners met with Elaine Molygoni, Director of Human Resources.

In the Matter of MEETING

Commissioners held an elected officials meeting.

There being no further business, the Board recessed until 8:00 a.m., February 29, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.

Twin Falls, Idaho
REGULAR FEBRUARY MEETING
February 29, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 28 February. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of PARKS AND WATERWAYS

Commissioners met with James Gose-Eells, Director of Parks and Waterways.

In the Matter of BUDGET

Expenditures by fund for February 2008:

Fund 100	Current Expense	\$1,356,117.01
Fund 102	Tort	17,788.71
Fund 106	Safe Place	52,332.12
Fund 108	Capital Projects Fund	89,183.63

Fund 109	Twin Falls County Extension	1,355.23
Fund 113	Weeds	10,550.57
Fund 114	Parks and Recreation	38,003.30
Fund 115	Solid Waste	4,693.15
Fund 116	Ad Valorem	59,824.24
Fund 118	District Court	43,113.32
Fund 130	Indigent Fund	261,746.89
Fund 131	Public Health	27,710.75
Fund 132	Revenue Sharing	-8,000.00
Fund 136	Pest Control	0.00
Fund 167	TF Co Public Health & Welfare	1,366.79
Fund 174	County Boat License	79.12
Fund 175	Snowmobiles	4,610.90
Fund 196	Justice Fund	638,747.22
Fund 608	Juvenile Correction Act Funds	17,702.46
Fund 609	Tobacco Tax Grant	29,910.22
Fund 610	Boat Grant Waterways Match	0.00
Fund 611	Adult Substance Abuse Grant	2,789.96
Fund 612	Rose St. Safe House	0.00
Fund 620	Status Offender Services	9,072.75
Fund 630	Fifth District SOS	4,065.75
Fund 634	Section 157 Occupant Protection	0.00
Fund 635	Parks-Grants	0.00
Fund 638	SFP-Twin Falls	1,790.65
Fund 639	Strength Fam Pro (Burley)	1,747.64
Fund 641	Social Activities Group Grant	0.00
Fund 645	JAG Grant	0.00
Fund 650	Twin Falls Co. Sheriffs Reserves	0.00
Fund 651	Sheriff Donation Fund	0.00
Fund 652	Sheriff Drug Seizure Money	0.00
Fund 659	Prosecutor's Drug Seizure Money	10.50
Fund 660	Court Facility/Program Funds	35,849.36
Fund 663	Sheriff's Youth Plate	0.00
Fund 666	Sheriff-Vests	0.00
Fund 667	Prosecutor Drug Reimb	0.00
Fund 671	Twin Falls Co Sheriff Search & Rescue	3,268.39
Fund 673	Juvenile Probation Misc.	414.76
Fund 674	Twin Falls County Insurance	0.00
Fund 676	VOCA Mediation Grant	4,092.00
Fund 677	Underage Drinking-Media Project	2,496.00
Fund 679	Centennial Wetland Complex Project	0.00
Fund 681	Drug Court	5,994.25
Fund 682	Youth Court	4,537.41
Fund 683	Court Assistance	0.00
Fund 684	Family Court Services	5,947.26

Fund 685	DUI Court	16,293.35
Fund 686	Mental Health Court	130.85
Fund 687	Sheriff's Grants	<u>6,259.44</u>
TOTAL		\$2,751,595.95

There being no further business, the Board recessed until 8:00 a.m., March 3, 2008, at the Commissioners Chambers, fourth floor of the Twin Falls County Courthouse, 425 Shoshone Street North, Twin Falls, Idaho, for the transaction of further business of the board.