

Twin Falls, Idaho  
REGULAR SEPTEMBER MEETING  
September 2, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 29 August. 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 Commissioner Mikesell. Motion passed (Kramer yes, Mikesell yes, Urie absent).

Commissioner Kramer motioned to leave executive session and go back to regular session. Second Commissioner Mikesell. Motion passed (Urie absent).

Commissioners returned to regular session at 9:30 a.m.

Commissioner Kramer motioned to approve case numbers 961119, 96056, 96118, 96042, 96046, 96049, 96051, 96045, 96043, and 96044. Second Commissioner Mikesell. Motion failed (Urie absent).

Commissioner Kramer motioned to approve case number 96120. Second Commissioner Mikesell. Motion failed (Urie absent).

Commissioner Kramer motioned to approve case number 96059. Second Commissioner Mikesell. Motion failed (Urie absent).

Commissioner Kramer motioned to approve case number 96137. Second Commissioner Mikesell. Motion failed (Urie absent).

Commissioner Kramer motioned to approve case number 95834 with a \$100.00 per month payback. Second Commissioner Mikesell. Motion passed (Urie absent).

Commissioner Kramer motioned to approve case number 96123 with a \$75.00 per month payback. Second Commissioner Mikesell. Motion passed (Urie absent).

Commissioner Kramer motioned to approve case number 96132. Second Commissioner Mikesell. Motion failed (Urie absent).

Commissioner Kramer motioned to approve case number 96122. Second Commissioner Mikesell. Motion failed (Urie absent).

Commissioner Kramer motioned to approve case number 96069 with a \$50.00 per month payback. Second Commissioner Mikesell. Motion passed (Urie absent).

Commissioner Kramer motioned to approve case number 96113. Second Commissioner Mikesell. Motion failed (Urie absent).

Commissioner Kramer motioned to approve case number 96053. Second Commissioner Mikesell. Motion passed (Urie absent).

Commissioner Kramer motioned to approve case number 96020. Second Commissioner Mikesell. Motion passed (Urie absent).

Commissioner Kramer motioned to approve case number 95488. Second Commissioner Mikesell. Motion passed (Urie absent).

Commissioner Kramer motioned to approve case number 95947. Second Commissioner Mikesell. Motion passed (Urie absent).

#### In the Matter of COMMISSIONERS PROCEEDINGS

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

Commissioner Kramer motioned to leave executive session and go back to regular session. Second Commissioner Mikesell. Motion passed.

Commissioners returned to regular session at 11:36 a.m.

#### In the Matter of BUDGET

Commissioners held a public hearing on the proposed FY 2008-2009 County budget.

Grant Loeb, Prosecuting Attorney, this is the fourth year of the attempt to bring Twin Falls into the modern world with everyone else. I just want to continue what I said last year. You have done a great job bringing us up to the levels of the State. You should be commended for making sure that all people who work with the County are paid appropriately for what they do. The past 4 or 5 years have shown this County cares about that and wants to maintain quality.

Sam Sites, Status Offender, a pat on the back and thank only goes so far. To have monetary value behind it goes along way.

Marilyn Paul, Public Defender, thank you for the efforts that have happened this year to bring about these increases that are needed and very much appreciated.

Dennis Chambers, Coroner, thank you for the funding and I appreciate the new building. I appreciate the money and time you are putting in.

Gerald Bowden, Assessor, there is a more professional attitude. People feel good. For new employees it is good to compete and we are getting better employees.

Sharon Lancaster, Clerk's Office, I would like to thank you and Kristina for the budget.

John Pitz, Fair, a lot of the public really appreciated the money you kicked across for the new bathrooms at the fairgrounds.

Wayne Tousley, Sheriff, I want to say this year was a good budget year. You looked at everyone's budget and where we were at and things we haven't had in the past. You also brought up the B side and I appreciate it.

Commissioner Mikesell it makes us much easier to do our job when you have the quality and dedication you have from the employees. That trickles down from the top.

Commissioner Urie I just want you to know that in my mind we take the budget very seriously. Not only this time of year but all through the year. We watch it a lot and are trying to balance services people want need demand with the money that we have. Along with that is personnel.

Commissioner Kramer I'm very impressed with the low turnover rate we have. We're getting good quality employees and the important thing is we are keeping good quality employees. Continuity helps us to serve the people out there. No matter what department you are in having experienced people helps everyone. I hope we can continue to keep the rate down and have employees who want to be here and do good for us.

#### Abatement District

Kali VanLeeuwen the pest abatement interim is very important to be passed. It not only includes mosquito it includes all pests. West Nile is the beginning of what we could see and if we don't have something in place we could be hit with something that is far worse and far more damaging.

Commissioner Urie we formed an interim abatements district for one year and this, if passed on the ballot, will make it permanent.

Wayne Tousley I had 3 case in my agency. One Deputy and two employees, one had a wife and one had a brother that had west nile the first year we got hit really hard. There was a lot of heat over this. The term abatement looks at more than just one thing. It's a very good thing to protect the public.

#### In the Matter of AIRPORT

Commissioner Urie attended the Airport Advisory Board.

There being no further business, the Board recessed until 8:00 a.m., September 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.

Twin Falls, Idaho  
REGULAR SEPTEMBER MEETING  
September 3, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 2 September. 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 BUDGET

Commissioners held a public hearing on the proposed fiscal year 2008-2009 budget.

No public comment.

Abatement District proposed FY 08-09 budget

Kali VanLeeuwen I just want to say its very important to have the pest abatement district. It's important for the public to know that not only mosquito control but black fly control and also any other item that comes up such as grasshoppers or gopher control. West Nile was just the first of what could come and we need to be prepared for that.

Commissioner Kramer motioned to adopt Resolution No. 2008-25 which is the budget for fiscal year 2008-2009 it says now therefore be it resolved by the Twin Falls County Board of Commissioners that the fiscal year 2008-2009 budget is fixed as follows: Salaries \$14,672,426 and Other Expenses and Benefits \$22,899,938 for a total budget of \$37,572,364. A copy of the entire budget is available upon request at the Clerk's Office. Second Commissioner Urie. Motion passed (Mikesell absent).

RESOLUTION NO. 2008-25

RESOLUTION ADOPTING THE ENSUING BUDGET FOR FISCAL YEAR 2008-2009  
COUNTY OF TWIN FALLS, STATE OF IDAHO

WHEREAS, Idaho Code §31-1605 provides that the Board of County Commissioners will hold a budget hearing on or before the Tuesday following the first Monday of each year following publication of notice of said budget; and

WHEREAS, the Board of Twin Falls County Commissioners met at the Twin Falls County Courthouse on Tuesday, September 2, 2008, and Wednesday, September 3, 2008, pursuant to the designated published time;

NOW, THEREFORE, BE IT RESOLVED BY THE Twin Falls County Board of Commissioners that the fiscal year 2008-2009 budget is fixed as follows: Salaries \$14,672,426 and Other Expenses and Benefits \$22,899,938 for a total budget of \$37,572,364. A copy of the entire budget is available upon request at the Clerk's Office.

DATED this 3 day of September, 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

Commissioner Kramer motioned to approve Resolution No. 2008-26 a Resolution adopting the budget for 2008 2009 for the pest abatement district. It says now therefore be it resolved by the Twin Falls County Board of Commissioners that the fiscal year 2008-2009 interim pest abatement budget is fixed as follows: Salaries \$109,721 and Other Expenses and Benefits \$332,136 for a total budget of \$441,857. Second Commissioner Urie. Motion passed (Mikesell absent).

RESOLUTION NO. 2008-26

RESOLUTION ADOPTING THE ENSUING BUDGET FOR FISCAL YEAR 2008-2009  
INTERIM PEST ABATEMENT DISTRICT

WHEREAS, Idaho Code §31-1605 provides that the Board of County Commissioners will hold a budget hearing on or before the Tuesday following the first Monday of each year following publication of notice of said budget; and

WHEREAS, the Board of Twin Falls County Commissioners met at the Twin Falls County Courthouse on Tuesday, September 2, 2008, and Wednesday, September 3, 2008, pursuant to the designated published time;

NOW, THEREFORE, BE IT RESOLVED BY THE Twin Falls County Board of Commissioners that the fiscal year 2008-2009 interim pest abatement budget is fixed as follows: Salaries \$109,721 and Other Expenses and Benefits \$332,136 for a total budget of \$441,857. A copy of the entire budget is available upon request at the Clerk's Office.

DATED this 3 day of September, 2008.

TWIN FALLS COUNTY BOARD OF  
COMMISSIONERS

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Tom Mikesell, Chairman

/s/ George Urie  
George Urie, Commissioner

/s/ Terry Ray Kramer  
Terry Ray Kramer, Commissioner

ATTEST:

/s/ Kristina Glascock  
Kristina Glascock, Clerk

There being no further business, the Board recessed until 8:00 a.m., September 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 SEPTEMBER MEETING  
September 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 3 September. 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, airport board appointment

Commissioner Kramer motioned to approve the recommendation for Sherman Hansen to be on the Airport Board. Second Commissioner Mikesell. Discussion. Commissioner Kramer he has served his first three year term and would like another one. Motion passed (Urie absent).

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

In the Matter of LEVIES

Clerk Kristina Glascock has a request from Kimberly and Twin Falls School District for L-2 extension. You can grant up to a seven working day extension. I would propose that you give them until September 12<sup>th</sup>.

Commissioner Mikesell motioned to grant extension to Kimberly and Twin Falls School District until September 12<sup>th</sup>. Second Commissioner Kramer. Motion passed (Urie absent).

In the Matter of ELECTION

Clerk Kristina Glascock presented ballot language for the Interim Abatement District for the November election.

Commissioner Kramer motioned to approve the language for the Interim Abatement District to be put on the ballot and the language for the notice of Election. Second Commissioner Mikesell. Discussion. Kristina Glascock it will \$10.52 per \$100,000 of taxable value. Motion passed (Urie absent).

In the Matter of GRANT

Commissioners considered the JAG Grant.

Mark brunelle the grant is for \$13,212 to split between the Sheriff's Office and Twin Falls Police Department. They will have 5,945.50 a piece to split. Twin Falls Police Department is looking at e-citations and offender watch program as well. The funds come from the federal criminal justice funds and as passed down to state and local. Twin Falls County is the police department and so that qualify.

Commissioner Kramer motioned to approve the JAG Grant and submit it. Second Commissioner Mikesell. Motion passed (Urie absent).

In the Matter of AMENDED AGENDA

Commissioners considered an addendum to application for Lifewise.

Commissioner Kramer motioned to authorize the Chairman to sign the addendum for Lifewise for new life insurance. Second Commissioner Mikesell. Motion passed (Urie absent).

In the Matter of MEETING

Commissioner Kramer attended Buhl Rotary.

There being no further business, the Board recessed until 8:00 a.m., September 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 SEPTEMBER MEETING  
September 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 September. 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., September 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 SEPTEMBER MEETING  
September 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 5 September. 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 ZONING

Commissioners considered a Conveyance Plat for Jon Thiebert.

Rene'e Carraway, City of Twin Falls, this is a request for approval of a Conveyance Plat for Thiebert Subdivision. The property is zoned SUI and is in the canyon rim overlay. It is located within the City Area of Impact. It's two acres, and they want to subdivide it into one acre parcels. Lot one currently has a residence and lot two is undeveloped. The plan is to build a home on it. As the property is within the Area of Impact, it does require City Council recommendation. You have in your packet the aerial location. On August 18<sup>th</sup> it was approved with conditions of final tech review and right of way for streets prior to recording.

Commissioner Urie motioned to approve the Conveyance Plat for Jon Theibert subject to the staff conditions that were presented by Twin Falls City Staff. Second Commissioner Kramer. Motion passed.

In the Matter of ZONING

Commissioners considered a Conveyance Plat for Dell Smith.

Rene'e Carraway, City of Twin Falls, this packet shows the aerial map. It is located on 3700 N approximately ½ mile east of Hankins Road. You did see this in February for a rezone. The property consists of 55 acres. There is an existing home in the northeast corner. It was rezoned in February to M-2. The property owner would like to sell off that one acre parcel. On August 18<sup>th</sup> the Council heard this request and approved it prior to conditions of final tech review and right of way for streets prior to recording. Right now there isn't plans to subdivide they just want to sell the existing home. The land will remain in ag for now. If they decided to subdivide it would have to come back to you to be rezoned again.

Commissioner Kramer motioned to approve the Parkers Subdivision Conveyance Plat subject to conditions. Second Commissioner Mikesell. Motion passed.

In the Matter of CONTRACT

Commissioners considered a Safe House contract with Health and Welfare.

Commissioner Mikesell this is our standard contract updated for the new year. We do this every year.

Commissioner Kramer motioned to approve the contract for Safe House residential treatment extension to 09-30-09. Second Commissioner Urie. Motion passed.

In the Matter of CONTRACT

Commissioner Kramer motioned to approve contract to replace and repair walk in coolers at CDC. Second Commissioner Urie. Discussion. Commissioner Kramer the price is \$17,159. Motion passed.

In the Matter of ALCOHOL LICENSE

Commissioner Kramer motioned to approve the catering permit for Boda's Bar to go to the Rogerson Rodeo on 09-12 and 09-13 from 10-1. Second Commissioner Urie. Motion passed.

In the Matter of CONTRACT

Commissioner Urie motioned to allow the Chairman to sign an agreement with Blue Cross to write a contract. Second Commissioner Kramer. Motion passed.

In the Matter of CONTRACT

Commissioner Kramer motioned to sign letter of commitment for CDC for Tami Remming for education reimbursement. Second Commissioner Urie. Discussion. Commissioner Urie should that indicate what budget that is coming out of. Commissioner Mikesell that is in the policy already that it comes out of her budget. This is just the reimbursement requirements if she fails to complete it. Motion passed.

In the Matter of TAXES–MISCELLANEOUS

Commissioner Mikesell motioned to pay \$11.62 to the American Falls Reservoir District for property owned by Twin Falls County. Second Commissioner Urie. Motion passed.

In the Matter of MEETING

Commissioner Kramer attended the American Falls Reservoir District.

There being no further business, the Board recessed until 8:00 a.m., September 9, 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 SEPTEMBER MEETING  
September 9, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 9 September. 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 Commissioner Kramer. Motion passed (Kramer yes, Urie yes, Mikesell yes).

Commissioner Mikesell motioned to leave executive session and go back to regular session. Second Commissioner Kramer. Motion passed.

Commissioners returned to regular session at 9:50 a.m.

Commissioner Kramer motioned to approve case numbers 96134, 96076, 96054, 96136, 96062, 96151 and 96061. Second Commissioner Urie. Motion failed.

Commissioner Urie motioned to approve case number 95784 with a \$50.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96064. Second Commissioner Urie. Motion failed.

Commissioner Urie motioned to approve \$350.00 rent on case number 96128 with a \$30.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96103. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95890. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95956. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve medication on case number 95944. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96068. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95892. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve splitting the loan and releasing the lien for payment of \$3,185.74 on case number 84660. Second Commissioner Urie. Motion passed.

Commissioner Kramer motioned to release lien and then take a second position on a home that is being purchased through Mercy Housing on case number 93911. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95871 and 95955 with a \$25.00 per month payback in six months. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96065 with a \$40.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96161 with a \$10.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96154 with a \$25.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve \$500.00 rent with a \$20.00 per month payback on case number 96133. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve December bills on case number 95692 with a \$20.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96063. Second Commissioner Kramer. Motion failed.

Commissioner Kramer motioned to approve case number 95950 with a \$50.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to release lien for half of the owed amount on case number 71530. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96106. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96053. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96020. 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 95722. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96122 with a \$20.00 per month payback. Second Commissioner Kramer. Motion passed (Mikesell no).

Commissioner Kramer motioned to approve case number 96058 with a \$50.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96057. Second Commissioner Kramer. Motion failed.

Commissioner Kramer motioned to approve case number 96153 with a \$25.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve \$550.00 rent on case number 96135 with a \$50.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96155 with a \$25.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96077 with a \$50.00 per month payback. Second Commissioner Kramer. Motion passed.

#### In the Matter of AMENDED AGENDA

Commissioner Kramer motioned to amend the agenda to include status sheets. Second Commissioner Urie. Motion passed.

#### In the Matter of BUDGET

Commissioners considered August accounts payable \$2,585,020.97.

Commissioner Kramer motioned to approve August accounts payable \$2,585,020.97. Second Commissioner Urie. Motion passed.

#### In the Matter of HUMAN RESOURCES

Commissioner Urie motioned to approve status sheets as presented. Second Commissioner Kramer. Discussion. Commissioner Urie we have reviewed them and find them satisfactory. Motion passed.

Commissioner Kramer motioned to go in to executive session pursuant to 67-2345 B. Second Commissioner Urie. Motion passed (Urie yes, Kramer yes, Mikesell yes).

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

Commissioners returned to regular session at 11:00 a.m.

In the Matter of INDIGENT

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

Commissioner Kramer motioned to leave executive session. Second Commissioner Urie. Motion passed.

Commissioners returned to regular session at 3:41 p.m.

Commissioner Mikesell motioned to pay one day at nursing home and interview the client tomorrow on case number 96152. Second Commissioner Urie. Motion failed.

There being no further business, the Board recessed until 8:00 a.m., September 10, 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 SEPTEMBER MEETING  
September 10, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 9 September. 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 sheets

Commissioner Kramer motioned to approve status sheet for season field worker for Pest Control. Second Commissioner Urie. Discussion Commissioner Kramer this move a weed person to a pest person for the remainder of the year. Motion passed.

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

Commissioner Kramer motioned to approve status sheets for Research and Development, Medical Director, Public Defender, Veterans Services, Status offenders, Juvenile Probation, Maintenance, Juvenile Detention, Emergency Services, Planning and Zoning. Second Commissioner Urie. Motion passed.

Commissioner Kramer motioned to approve two status sheets for Clerk-Auditor's Department. Payroll Clerk and Assistant Payroll Clerk. Second Commissioner Urie. Motion passed.

In the Matter of PROCLAMATION

Commissioners considered a Proclamation for Family Day.

Commissioner Kramer motioned to approve the Proclamation for Family now therefore we the Twin Falls Board of County Commissioners, do hereby proclaim the fourth Monday of every September as Family Day - A Day to Eat Dinner with Your Children and urge all citizens to recognize and participate in its observance. Second Commissioner Urie. Motion passed.

**Proclamation**

WHEREAS the use of illegal and prescription drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children;

WHEREAS 13 years of surveys conducted by The National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink, and use illegal drugs;

WHEREAS frequent family dining is associated with lower rates of teen smoking, drinking, illegal drug use and prescription drug abuse;

WHEREAS the correlation between frequent family dinners and reduced risk for teen substance abuse is well documented;

WHEREAS parents who are engaged in their children's lives - through such activities as frequent family dinners - are less likely to have children who abuse substances;

WHEREAS family dinners have long constituted a substantial pillar of family life in America;

Now, Therefore, We, the Twin Falls Board of County Commissioners, do hereby proclaim the fourth Monday of every September as

***Family Day - A Day to Eat Dinner with Your Children<sup>TM</sup>***

and urge all citizens to recognize and participate in its observance.

DATED this 10 day of September, 2008

TWIN FALLS COUNTY BOARD OF  
COMMISSIONERS

/s/ Tom Mikesell

Tom Mikesell, Chairman

/s/ Terry Ray Kramer

Terry Kramer, Commissioner

/s/ George Urie  
George Urie, Commissioner

ATTEST:

/s/ Kristina Glascock  
Kristina Glascock, Clerk

In the Matter of GRANT

Mark Brunelle, Research and Development, the idea of this grant is to hire an addictions counselor in the Jail to work with inmates. The inmates would have to be in the jail for at least 30 days. There will be a scale to determine who receives services. They can then go to the Service Center's program for further services after they are out of jail. We are asking for \$54,000 for staff and \$30,000 for treatment. A lot of people, for the short term they are in jail, will not be able to complete the treatment. This will allow them to complete treatment.

Commissioner Kramer motioned to approve the grant application for Twin Falls Health Initiative Trust for drug and alcohol counselor in the jail. Second Commissioner Urie. Motion passed.

In the Matter of MEETING

Commissioners met with Melody Lenkner, Southern Idaho Learning Center.

In the Matter of MEETING

Commissioner Kramer attended the National Resource Conservation Service meeting.

There being no further business, the Board recessed until 8:00 a.m., September 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 SEPTEMBER MEETING  
September 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 10 September. 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 ZONING

Commissioner held a plat vacation hearing on a request brought by the owners of lots 9 through 13 of the Ranchgate Subdivision.

David Coleman presented a petition to vacate a note on the Ranchgate Subdivision plat. I have a map which shows the lots in question. The Planning and Zoning Commission asked that this plat note be put on for a chain link fence to be put on lots 9-13. I was the Chairman of the Board of the

Planning and Zoning Commission at the time. I wasn't a voting member because I was the chairman,. There was a neighbor Mr. McDonald to the north that was concerned about the subdivision. My take as to why this plat note was added was that the planning and zoning commission felt like they had to approve the subdivision but they needed to come up with something to appease Mr. McDonald. This fence is more of a hindrance and nuisance than a help. There was a letter from Fish and Game that they didn't want any fences due to the wildlife corridor. Now the homeowners of the various lots have come to me and said its more than hassle, it's not serving the purpose it was intended for and they would like the Commission to vacate it. Idaho Code 50-1306A(4) says that when a platted area lies more than one mile beyond the city limits the County Commissioners have the authority. I would like to limit my comments to what I've said here and ask that you open it up for comment from the homeowners.

Commissioner Urie what was the purpose of the fence? What purpose was it supposed to serve. Mr. Coleman the big concern that Mr. McDonald had at the hearing was he was worried having the subdivision there would cause more access to people trespassing on his property. It lies to the north. Mr. McDonald didn't ask for the fence as I remember. It was something the Planning and Zoning board kind of came up. I didn't vote. I remember feeling like it was something out of the ordinary to require this. I don't remember if I made comment for or against. The fence is 50 feet into the lot of the homeowners. On Lots 10, 11 and 12 have no access to get on the other side of the fence to maintain their own property. The owner of lot 9 can walk around on the neighbors property to maintain theirs. Commissioner Urie there is a preservation strip. The easement is on the property owners property. Commissioner Urie what restrictions does that create? Mr. Coleman the restriction is they are not supposed to inhibit migratory animals. Commissioner Mikesell this is like any other easement you can't put any permanent structures. Mr. Coleman lot 13 is 50 feet from the canyon right there. Rick Dunn, Planning and Zoning Administrator, the easement applies but the fence does limit access to their own property.

Commissioner Mikesell opened the public hearing.

Commissioner Mikesell there are three letter s in our packet, from Jared and Krissy Bordi, Paul M Beeks, and Rex L. Shobe. Two are in opposition, one is in support.

David Christiansen my wife and I own one of the lots there. I guess we're asking that the plat be vacated to remove the fence so that we as landowners can access that property and maintain it. There is no access to it now. Not to build on it, not to eliminate that wildlife easement but to allow for us to maintain our property. As it exists there are several problems with it. The easement of it is flawed from the beginning. The description states its supposed to be 50 feet from the canyon rim which it is on the lots to the east. As you move to the west starting on my property and on the canyon rim is 500 feet away. This easement has been put straight down the back of the property. It's fenced at both ends. There is no way anything but a bird can get into it. It's not along the canyon rim. It appears it has been put up to protect Mr. McDonald. If that is the case it should be placed on the property line. As it sits the whole thing is kind of put together and doesn't make a lot of sense. We are asking it be removed. There have been three brush fires on there. There is no access for fire fighting equipment either from Mr. McDonald's property or ours. There is no way

for fire control on the rim. I just think it would be a benefit. It exists now as a garbage trap because there is nothing you can do with it. You can't maintain it.

Jim Hoogenbraum I'm lot 11 and in favor.

Rick Beard, we're an adjacent land owner we are here to speak in favor or getting rid of the fence.

Rick Sherman I'm also out and I'm here in favor of vacation of the fence.

Commissioner Mikesell closed the public hearing.

Commissioner Urie if this fence was vacated then are there any other fencing restrictions. Can you go out to property and put a fence in. Mr. Dunn yes. If they do put a fence in that easement it would have to be a game friendly fence. That's the whole point of this easement. Commissioner Urie what is a game friendly fence. Mr. Dunn Fish and Game have guidelines and I believe some of these folks have spoke with them. I don't know what those details are.

Commissioner Kramer is this current fence used to separate livestock or any kind of animals owned by Mr. McDonald that would cause Mr. McDonald to spend extra money to have him contain his livestock. Mr. Coleman it is not. My understanding is Mr. McDonald has his own fence. There is a question if his fence is on my clients property. The only purpose of this fence is it was a requirement put on by Planning and Zoning Commission. He does have a boundary fence.

Commissioner Urie if this were to be vacated then each owner would have the option to deal with that fence how they would want to. Mr. Dunn the neighbors could remove it. If it was Mr. McDonalds they could ask if he wanted it back. Mr. Coleman the developer put the fence in.

Commissioner Urie motioned to take this information under advisement and issue a written decision within September 26<sup>th</sup>. Second Commissioner Kramer. Motion passed.

#### In the Matter of INDIGENT

Commissioner Kramer motioned to approve case number 96152 for wound care. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 96174 for medication as prescribed by Dr. Ingall from Family Health Services. Second Commissioner Urie. Motion passed (Mikesell absent).

#### In the Matter of MEETING

Commissioner Mikesell attended the Southern Idaho Economic Development Organization meeting.

#### In the Matter of MEETING

Commissioner Urie attended the Idaho Transportation Department meeting.

#### In the Matter of MEETING

Commissioner Kramer attended Buhl Rotary.

In the Matter of MEETING

Commissioner Urie attended a meeting with DEQ.

In the Matter of HEALTH INITIATIVE TRUST

Commissioner Mikesell attended the Twin Falls Health Initiative Trust meeting.

There being no further business, the Board recessed until 8:00 a.m., September 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 SEPTEMBER MEETING  
September 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 September. 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 sheet

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

In the Matter of CONTRACT

Commissioners considered a contract with Intermountain Hospital.

Commissioner Urie motioned to approve the contract with Intermountain Hospital for county residents to receive mental health. Second Commissioner Kramer. Motion passed.

In the Matter of CONTRACT

Commissioner Kramer motioned to approve the contract for Guardian Ad Litem with Jamie Lamure for 2,710 plus 75 per hour for termination cases with the clause that pays in case of conflict or vacation. Second Commissioner Urie. Motion passed.

In the Matter of BUDGET

Commissioner Kramer motioned to approve to support the CASA tournament for \$125.00. Second Commissioner Urie. Discussion. Commissioner Mikesell I cannot support this after the fact. We are supportive in many ways. We are the only county that provides a full time legal person in the system for Guardian Ad Litem. Perhaps support when requests are made before the fact. Commissioner Urie the request should have been made before hand so we could have ruled on this at that time. Motion passed (Mikesell abstained).

In the Matter of RESOLUTION

Commissioner Kramer motioned to approve Resolution 2008-27 for a decreped vehicle. Second Commissioner Urie. Discussion. Commissioner Kramer this is to get rid of a van that doesn't run. Motion passed.

RESOLUTION NO. 2008-27

WHEREAS, Twin Falls County has certain property which is no longer necessary for County use; and

WHEREAS, Idaho Code §31-808 states the Commissioners can find the property is worth less than \$250 and therefore, may be sold at a private sale without advertisement;

NOW, THEREFORE, BE IT RESOLVED by the Twin Falls County Board of Commissioners that the following vehicles are hereby declared surplus with a value of less than \$250.00 each and are here ordered to be taken to Hunt Brothers Auction for disposition:

1985 Plymouth Van  
VIN # 2P4FH41G3FR226646

DATED this 12 day of September, 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 ZONING

Commissioners met to render a decision on the vacation of the Ranchgate Subdivision plat note.

Commissioner Kramer motioned to vacate the Ranchgate Subdivision plat note referring to the six foot chain link fence. Second Commissioner Urie. Discussion. Commissioner Kramer the neighbors appear to be in favor or getting rid of this. It is a weed problem and does not have any

functional use for the subdivision. Commissioner Urie it serves no purpose. Commissioner Mikesell it hurts wildlife and negates the wildlife easement. Motion passed.

In the Matter of INDIGENT

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

Commissioner Mikesell motioned to leave executive session and go back to regular session. Second Commissioner Urie. Motion passed.

Commissioners returned to regular session at 11:28 a.m.

Commissioner Kramer motioned to approve case numbers 96070, 96165, and 96097. Second Commissioner Urie. Motion failed.

Commissioner Urie motioned to approve case number 96080. Second Commissioner Kramer. Motion failed.

Commissioner Kramer motioned to approve case number 96079. Second Commissioner Urie. Motion failed.

Commissioner Kramer motioned to approve case number 96071. Second Commissioner Urie. Motion failed.

Commissioner Urie motioned to approve case number 96167 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96091 and combine it with case number 95727. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96081 with a \$30.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96074 with continuation of existing payment. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95741. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96153. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96078 with \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96024 with a \$70.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Kramer motioned to approve rent portion only on case number 96075 with a \$50.00 per month payback.. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96158. Second Commissioner Kramer. Motion failed.

There being no further business, the Board recessed until 8:00 a.m., September 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 SEPTEMBER MEETING  
September 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 12 September. 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 CONFERENCE

Commissioners attended the Idaho Association of Counties Conference in Idaho Falls.

There being no further business, the Board recessed until 8:00 a.m., September 16, 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 SEPTEMBER MEETING  
September 16, 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 September. 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 CONFERENCE

Commissioners attended the Idaho Association of Counties Conference in Idaho Falls.

There being no further business, the Board recessed until 8:00 a.m., September 17, 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 SEPTEMBER MEETING  
September 17, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 16 September. 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 CONFERENCE

Commissioners attended the Idaho Association of Counties Conference in Idaho Falls.

There being no further business, the Board recessed until 8:00 a.m., September 18, 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 SEPTEMBER MEETING  
September 18, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 17 September. 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 CONFERENCE

Commissioners attended the Idaho Association of Counties Conference in Idaho Falls.

There being no further business, the Board recessed until 8:00 a.m., September 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 SEPTEMBER MEETING  
September 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 18 September. 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 Mikesell motioned to go into executive session pursuant to Idaho Code §67-2345D. Second Commissioner Kramer. Motion passed (Kramer yes, Mikesell yes, Urie absent).

Commissioner Mikesell motioned to leave executive session and go back to regular session. Second Commissioner Kramer. Motion passed (Urie absent).

Commissioners returned to regular session at 9:59 a.m.

Commissioner Kramer motioned to approve case number 96188 with a \$25.00 per month payback. Second Commissioner Mikesell. Motion failed (Urie absent).

In the Matter of CONTRACT

Commissioner Kramer motioned to approve the contract for Adult Probation to have the porta potty for work detail with Western Waste Services. Second Commissioner Mikesell. Motion passed.

In the Matter of CONTRACT

Commissioner Kramer motioned to approve time equipment contract for court services and allow Chairman Mikesell to sign. Second Commissioner Mikesell. Motion passed.

In the Matter of CONTRACT

Commissioner Kramer motioned to agree to the letter of agreement with Southern Idaho Learning Center as sent by David Coleman. Second Commissioner Mikesell. Discussion. Commissioner Kramer this was negotiated and agreed to. Motion passed.

In the Matter of CONSENT CALENDAR

Items include: alcohol license for Garden Café, tax cancellation request by Assessor, status sheets

Commissioner Kramer motioned to approve liquor license for Happy Heart DBA Garden Café. Second Commissioner Mikesell. Motion passed.

Commissioner Kramer motioned to approve recommendations of Assessor and cancel the owning property tax. Second Commissioner Mikesell. Motion passed.

Commissioner Kramer motioned to approve status sheet as presented. Second Commissioner Mikesell. Motion passed.

In the Matter of ALCOHOL LICENSES

Retail liquor license was issued to Happy Hearts Inc. Dba The Garden Café.

There being no further business, the Board recessed until 8:00 a.m., September 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 SEPTEMBER MEETING  
September 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 19 September. 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 ORDINANCE

Commissioners to consider a proposed Flood Plain Ordinance.

Rick Dun, Planning and Zoning Administrator, this is a rewrite of the Flood Plain Ordinance to conform to federal standards. They had new maps so we had to do a new ordinance. It's been through legal and we are ready to go.

No public present to testify.

Commissioner Kramer motioned to approve the Flood Plain Ordinance No. 209 as presented by Planning and Zoning. Second Commissioner Mikesell. Motion passed (Urie absent).

ORDINANCE NO. 209

AN ORDINANCE ESTABLISHING REGULATIONS AND STANDARDS FOR FLOOD HAZARD AREAS AND, PROVIDING FOR SEVERABILITY AND REPEALING TWIN FALLS COUNTY CODE TITLE 8 ARTICLE K AND ANY OTHER PROVISIONS THAT CONFLICT WITH THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Twin Falls County Board of Commissioners anticipates the need to provide regulations and standards for flood hazard areas, and;

WHEREAS, a draft of this ordinance was considered by the Twin Falls County Planning and Zoning Commission at a duly noticed public hearing on the 14 day of August, 2008, and;

WHEREAS, a draft of this Ordinance, and the recommendation of the Twin Falls County Planning and Zoning Commission was considered by the Twin Falls County Board of Commissioners at a duly noticed public hearing on the 22 day of September, 2008;

WHEREAS, the Legislature of the State of Idaho has delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry, and;

NOW, THEREFORE, BE IT ORDAINED BY THE Twin Falls County Board of Commissioners of Twin Falls County, Idaho:

Twin Falls County Code 8, Chapter 19: Flood Plain Regulations

8-19-1: Findings of Fact:

- A. The flood hazard areas of Twin Falls County are subject to periodic inundation which results in loss of life and property, health, and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- B. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately flood proofed, elevated, or otherwise protected from flood damage also contribute to the flood loss.

#### 8-19-2: Purpose:

It is the purpose of this Chapter to promote the public health, safety, and general welfare; reduce the annual cost of flood insurance; and minimize public and private losses due to flood conditions in specific areas by provisions designed:

- A. To protect human life and health;
- B. To minimize expenditure of public money and costly flood control projects;
- C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. To minimize prolonged business interruptions;
- E. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard;
- F. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- G. To ensure that potential buyers are notified that property is in an area of special flood hazard;
- H. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

#### 8-19-3: Methods of Reducing Flood Losses:

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- D. Controlling filling, grading, dredging, and other development which may increase flood damage; and
- E. Preventing or regulating the construction of flood barriers that unnaturally divert floodwaters or may increase flood hazards in other areas.

#### 8-19-4: Definitions:

**Accessory Structures:** low cost buildings that do not exceed 500 square feet, such as detached 2-car garages, boathouses, small pole barns and storage sheds, not to be used for human habitation; shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters; shall be anchored to prevent floatation which may result in damage to other structures; service utilities such as electrical and heating equipment shall be elevated or flood-proofed.

**Appeal:** request for a review of the interpretation of any provision of this ordinance or a request for a variance.

**Area of Shallow Flooding:** designated as AO, or AH Zone on the Flood Insurance Rate Map (FIRM). AO zones have base flood depths that range from one to three feet above the natural ground; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident. AO is characterized as sheet flow; AH indicates ponding, and is shown with standard base flood elevations.

**Area of Special Flood Hazard:** the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

**Base Flood:** the flood having a 1% chance of being equaled or exceeded in any given year also referred to as the "100-year flood." Designated on Flood Insurance Rate Maps by the letters A or V.

**Basement:** means any area of the building having its floor sub-grade (below ground level) on all sides.

**Critical Facility:** a facility for which even a slight chance of flooding might be too great. Critical facilities include (but are not limited to) schools, nursing homes, hospitals, police, fire and emergency response installations, and installations which produce, use, or store hazardous materials or hazardous waste.

**Development:** any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.

**Elevation Certificate:** the official FEMA form used to track development, provide elevation information necessary to ensure compliance with community floodplain management, and determine the proper insurance premium rate.

**Elevated Building:** for insurance purposes, a non-basement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

**Existing Manufactured Home Park or Subdivision:** a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads is completed before the effective date of the adopted floodplain management regulations.

**Expansion to an Existing Manufactured Home Park or Subdivision:** the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

**Flood or Flooding:** a general and temporary condition of partial or complete inundation of normally dry land areas from:

- 1) The overflow of inland or tidal waters and/or
- 2) The unusual and rapid accumulation of runoff of surface waters from any source.

**Flood Insurance Rate Map (FIRM):** the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

**Flood Insurance Study (FIS):** the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

**Floodway:** the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

**Increased Cost of Compliance:** A flood insurance claim payment up to \$30,000 directly to a property owner for the cost to comply with floodplain management regulations after a direct physical loss caused by a flood. Eligibility for an ICC claim can be through a single instance of “substantial damage” or as a result of a “cumulative substantial damage.” (FEMA ICC Manual 301)

**Lowest Floor:** the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building’s lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance, provided there are adequate flood ventilation openings.

**Manufactured Home:** a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”

Manufactured Home Park or Subdivision: a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

New Construction: means structures for which the “start of construction” commenced on or after the effective date of this ordinance.

New Manufactured Home Park or Subdivision: means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads is completed on or after the effective date of adopted floodplain management regulations.

Recreational Vehicle: a vehicle;

- 1) built on a single chassis;
- 2) Four hundred (400) square feet or less when measured at the largest horizontal projection;
- 3) Designed to be self-propelled or permanently towable by a light duty truck, and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Repetitive Loss: flood-related damages sustained by a structure on two separate occasions during a ten (10) year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds twenty five (25) percent of the market value of the structure before damage occurred.

Start of Construction: includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure: a walled and roofed building, including a gas or liquid storage tank that is principally above ground.

Substantial Damage: damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed fifty (50) percent of the

market value (as established by the County Assessors records) of the structure before the damage occurred.

Substantial Improvement: any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value (as established by the County Assessor's records) of the structure either:

- 1) Before the improvement or repair is started; or
- 2) If the structure has been damaged and is being restored, before the damage occurred.
- 3) For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

Variance: a grant of relief from the requirements of this chapter that permits construction in a manner that would otherwise be prohibited by this ordinance.

Water Dependent: a structure for commerce or industry that cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

#### 8-19-5: General Provisions:

- A. This chapter shall apply to all areas of special flood hazards within the jurisdiction of Twin Falls County.
- B. Areas of Special Flood Hazard: The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for Twin Falls County and Incorporated Areas dated September 26th 2008, and any revisions thereto, with an accompanying Flood Insurance Rate Map (FIRM), and any revisions thereto, are hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study and the FIRM are on file at the Planning and Zoning Office for Twin Falls County. The best available information for flood hazard area identification shall be the basis for regulation until a new FIRM is issued.
- C. Penalties For Noncompliance: No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. Violations of the provisions of this chapter by failure to comply with any of its requirements, including violations of conditions and safeguards established in connection with conditions, shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall be subject to civil or criminal penalties as set forth in Twin Falls County Code. Nothing herein contained shall prevent the Twin Falls County from taking such other lawful action as is necessary, whether administratively, through the court system or any other lawful action, to prevent or remedy any violation.
- D. Abrogation and Greater Restrictions: This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter

and another chapter, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

- E. Interpretation: In the interpretation and application of this ordinance, all provisions shall be:
  - 1) Considered as minimum requirements;
  - 2) Liberally construed in favor of the governing body; and,
  - 3) Deemed neither to limit nor repeal any other powers granted under State statutes.
- F. Warning and Disclaimer of Liability: The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of Twin Falls County, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

#### 8-19-6: Development Permit:

- A. Development Permit Required: A development permit shall be obtained from Twin Falls County Planning and Zoning Administrator before construction or development begins within any area of special flood hazard. The permit shall be for all structures including manufactured homes, as set forth in the “Definitions,” and for all development including fill and other activities, also as set forth in the “Definitions.”
- B. Application for Development Permit: Application for a development permit shall be made on forms furnished by the County and may include, but not be limited to, plans in duplicate, drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:
  - 1. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures recorded on a current elevation certificate.
  - 2. Elevation in relation to mean sea level to which any structure has been flood proofed;
  - 3. Certification by a registered professional engineer or architect that the flood proofing methods for any nonresidential structure meet flood proofing criteria.
  - 4. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.
- C. Designation of the Local Administrator: the Planning and Zoning Administrator is hereby appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.
- D. Duties and Responsibilities of the local administrator shall include, but not be limited to:
  - 1. Review all development permits to determine that the permit requirements of this chapter have been satisfied.
  - 2. Review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local governmental agencies from which prior approval is required.

3. Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions are met.
- E. Use of Other Base Flood Data: When Base Flood Elevation data or floodway data has not been provided in accordance with the provisions of this chapter; the Planning and Zoning Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer this chapter.
- F. Information to be Obtained and Maintained:
1. Where base flood elevation data is provided through the Flood Insurance Study, FIRM, or as required in this chapter, information shall be obtained and recorded for the actual (as-built) elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement. This information shall be recorded on a current FEMA elevation certificate.
  2. For all new or substantially improved flood-proofed nonresidential structures, where base flood elevation data is provided, information is provided through the FIS, FIRM, or as required in this chapter.
    - a. Obtain and record the elevation (in relation to mean sea level) to which the structure was flood-proofed.
    - b. Maintain the flood-proofing certifications.
    - c. Maintain for public inspection all records pertaining to the provisions of this ordinance.
- G. Alteration of Watercourses:
1. Notify adjacent communities and the Department of Water Resources prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
  2. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.
- H. Interpretation of FIRM Boundaries: The Floodplain Administrator shall make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (e.g. where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation. Such appeals shall be granted consistent with the standards of Section 60.6 of the Rules and Regulations of the National Flood Insurance Program.

#### 8-19-7: Variance Procedure:

- A. The Twin Falls County Planning and Zoning Commission shall hear and decide requests for variances from the requirements of this Chapter.
- B. The Twin Falls County Planning and Zoning Commission shall hear and decide variance requests when it is alleged there is an error in any requirement, decision, or determination made by the county in the enforcement or administration of this ordinance.
- C. Those aggrieved by the decision of the Twin Falls County Planning and Zoning Commission,

may appeal such decision to the Twin Falls County Board of Commissioners, and then proceed to court.

- D. In passing upon such applications, the Twin Falls County Planning and Zoning Commission shall consider all technical evaluations, all relevant factors, standards specified in this ordinance, and the danger that materials may be swept onto other lands to the injury of others, the danger to life and property due to flooding or erosion damage, the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner, the importance of the services provided by the proposed facility to the community, the necessity to the facility of a waterfront location, where applicable, the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage, the compatibility of the proposed use with existing and anticipated development.

The Commission shall also consider the relationship of the proposed use to the comprehensive plan and flood plain management program for that area, the safety of access to the property in times of flood for ordinary and emergency vehicles, the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and, the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

- E. Conditions for Variances:

1. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a small or irregularly shaped lot contiguous to and surrounded by lots with existing structures constructed below the base flood level. As the lot size increases the technical justification required for issuing the variance increases.
2. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.
3. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
4. Variances shall only be issued upon:
  - a. A showing of good and sufficient cause;
  - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant;
  - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

- F. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from flood elevations shall be quite rare.

- G. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of flood proofing, rather than watertight or dry-flood proofing, where it can

be determined that such action will have low damage potential, complies with all other variance criteria, and otherwise complies with the requirements of this chapter.

- H. Any applicant to whom a variance is granted shall be given written notice that the permitted structure will be built with its lowest floor below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk.

#### 8-19-8: Provisions for Flood Hazard Reduction:

General Standards in all areas of special flood hazards, the following standards are required:

- A. Anchoring:
1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
  2. All manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors. For more detailed information, refer to guidebook, FEMA-85, "Manufactured Home Installation in Flood Hazard Areas."
- B. AH Zone Drainage: Adequate drainage paths are required around structures on slopes to guide floodwaters around and away from proposed structures.
- C. Construction Materials and Methods
1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
  2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
  3. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding. Locating such equipment below the base flood elevation may cause annual flood insurance premiums to be increased.
- D. Utilities
1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems;
  2. Water wells shall be located on high ground that is not in the floodway;
  3. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
  4. Onsite waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- E. Subdivision Proposals
1. All subdivision proposals shall be consistent with the need to minimize flood damage;
  2. All subdivision proposals shall have public utilities and facilities, such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;

3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage;
  4. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less).
- F. Review of Building Permits: Where elevation data is not available either through the Flood Insurance Study, FIRM, or from another authoritative source, applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above the highest adjacent grade in these zones may result in higher insurance rates.
- G. Specific Standards: In all areas of special flood hazards where the base flood elevation data has been provided as set forth in section 8-19-5, General Provisions or section 8-19-6 E. Use Of Other Base Flood Data. Additional standards were clarified in FEMA Technical Bulletin 11-01 to allow crawlspace construction for buildings located in the special flood hazard areas; however adopting this provision can result in a twenty (20) percent increase in flood insurance premiums. The following provisions are required:
1. Residential Construction:
    - a. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot or more above the Base Flood Elevation (BFE).
    - b. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by an Idaho registered professional engineer or architect or must meet or exceed the following minimum criteria:
      1. Crawl spaces in special flood hazard areas shall have openings that equalize the hydrostatic pressures by allowing the automatic entry and exit of flood waters.
      2. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
      3. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters. Foundation vent standards required by the IBC/IRC outside the floodplain may not meet this standard.
      4. Below grade, crawlspaces are prohibited at sites where the velocity of floodwaters exceeds five (5) feet per second.
      5. All building utility systems within the crawlspace shall be elevated above base flood elevation or be designed so that floodwaters cannot enter or accumulate within the system component during flood.

6. The interior of a crawlspace below the base flood elevation must not be more than 2 feet below the lowest adjacent exterior grade (LAG) and the height of the below grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation must not exceed 4 feet at any point.
7. Below grade, crawlspaces constructed in accordance with the requirements listed in this subsection shall not be considered basements. However, applicants who construct buildings that have below grade crawlspaces are hereby advised that such buildings will have higher flood insurance premiums than buildings that have crawlspaces with interior elevations at or above the lowest adjacent grade.
8. An adequate drainage system shall be provided that removes flood waters from the crawl space.
- c. Portions of the building below the BFE shall be constructed with materials resistant to flood damage including but not limited to: foundation walls, joist, insulation, etc, that extend below the BFE.
- d. Any building utility systems shall be elevated one (1) foot above the BFE.
2. Nonresidential Construction: New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated one foot or more above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:
  - a. Be flood-proofed one (1) foot above the BFE.
  - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
  - c. Be certified by an Idaho registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official;
  - d. Nonresidential structures that are elevated, not flood-proofed, must meet the same standards for space below the lowest floor as described in this chapter.
3. Manufactured Homes: All manufactured homes in the floodplain to be placed or substantially improved on sites shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
4. Recreational Vehicles: Recreational vehicles placed on sites are required to either:
  - a. Be on the site for fewer than 180 consecutive days, (or)
  - b. Be fully licensed and ready for highway use, on wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or
  - c. Meet the elevation and anchoring requirements for manufactured homes.
5. In areas with base flood elevations (but a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's

FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

6. Floodways: Located within areas of special flood hazard established in this chapter are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that can carry debris, and increase erosion potential, the following provisions apply:
  - a. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge.
  - b. If section 8-19-8 M. 1 is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of section 8-19-8 of this chapter.
7. Critical Facility: Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Special Flood Hazard Area (SFHA) (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above BFE or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Flood-proofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.

8-19-9: Severability:

The Ordinance is hereby declared to be severable. Should a court of competent jurisdiction declare any portion of this ordinance invalid, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

8-19-10: Effective Date:

This ordinance shall be effective upon passage and publication as provided by law.

Dated this 22 day of September, 2008.

TWIN FALLS COUNTY BOARD OF  
COMMISSIONERS

/s/ Tom Mikesell

Tom Mikesell, Chairman

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George Urie, Commissioner

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/s/ Terry Ray Kramer

Terry Ray Kramer, Commissioner

ATTEST:

/s/ Kristina Glascock

Kristina Glascock, Clerk

In the Matter of LEVIES

Clerk Kristina Glascock presented the L-1 form with levy rates of each taxing district in Twin Falls County. This form is signed by the Clerk of the Board of County Commissioners so I need you to approve them and authorize me to sign the form. I'm also needed approval for the special assessments on the agenda too. 207,588.42 are the special assessments. I've also given you the values of the net taxable market value for information so you know where the values are. A one page showing what each taxing district is levying.

Commissioner Kramer motioned to approve the L-1 as presented by the Clerk and authorize the Clerk to sign the L1s setting the levy rates for 2008. Second Commissioner Mikesell. Motion passed (Urie absent).

Commissioner Kramer motioned to approve special assessment totals for \$207,588.42 for the tax rolls of 2008. Second Commissioner Mikesell. Motion passed (Urie absent).

In the Matter of RESOLUTION

Commissioners considered a Resolution for Ranchgate Subdivision.

Commissioner Kramer motioned to approve resolution 2008-28 for Ranchgate Subdivision. Second Commissioner Mikesell. Motion passed (Urie absent).

RESOLUTION NO. 2008-28

WHEREAS, on April 3, 2006, the Twin Falls County Board of Commissioners considered Ordinance No. 189 an Amendment to the Twin Falls County Zoning Ordinance for a rezone of Ranchgate Subdivision, and

WHEREAS, Ordinance No. 189 contained a typographical error which was recently discovered by the Planning and Zoning Department, and

WHEREAS, that typographical error refers to Section 24 instead of Section 21,

NOW, THEREFORE BE IT RESOLVED, that the Twin Falls County Board of Commissioners hereby amend Ordinance No. 189 to reflect the correction section number 21.

DATED this 22 day of September, 2008.

TWIN FALLS COUNTY BOARD OF  
COMMISSIONERS

/s/ Tom Mikesell

Tom Mikesell, Chairman

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George Urie, Commissioner

/s/ Terry Ray Kramer

Terry Ray Kramer, Commissioner

ATTEST:

/s/ Kristina Glascock

Kristina Glascock, Clerk

In the Matter of ORDINANCE

Commissioners considered an Ordinance for the rezone of the gun club north of Meadowridge Circle for the City of Twin Falls.

Commissioner Mikesell motioned to approve Ordinance 210. Second Commissioner Kramer. Discussion. Commissioner Kramer this has been approved by Planning and Zoning at the City and is within the impact area. Motion passed (Urie absent).

**ORDINANCE NO. 210**

AN ORDINANCE OF THE TWIN FALLS COUNTY BOARD OF COMMISSIONERS OF THE COUNTY OF TWIN FALLS, IDAHO, REZONING REAL PROPERTY BELOW DESCRIBED; PROVIDING THE ZONING CLASSIFICATION THEREFOR; AND ORDERING THE NECESSARY AREA OF IMPACT AND ZONING DISTRICTS MAP AMENDMENT.

WHEREAS, the City of Twin Falls has made application for a rezone of property located along the Snake River Canyon Rim and north of Meadowridge Circle; and,

WHEREAS, the City Planning and Zoning Commission for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 27th day of November, 2007, to consider the Zoning

Designation and necessary Area of Impact and Zoning Districts Map amendment upon a REZONE of the real property below described; and,

WHEREAS, the City Planning and Zoning Commission has made recommendations to the City Council for the City of Twin Falls, Idaho; and,

WHEREAS, the Twin Falls County Board of Commissioners held a hearing on this matter on June 19,2008, based upon recommendation from the Twin Falls City Council; and,

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing to consider the same matter on the 18th day of August, 2008.

NOW, THEREFORE, BE IT ORDAINED BY THE TWIN FALLS COUNTY BOARD OF COMMISSIONERS OF THE COUNTY OF TWIN FALLS, IDAHO:

SECTION 1. That the following described real property located along the Snake River Canyon Rim and north of Meadowridge Circle is the subject of a Zoning District Change and Zoning Map Amendment from SUI and OS to OS:

**SEE ATTACHMENT "A"**

SECTION 2. Public services may not be available at the time of development of this property, depending upon the speed of development of this and other developments, and the ability of the City to obtain additional water and/or sewer capacity. The zoning of this property shall not constitute a commitment by the City to provide water and/or wastewater services.

SECTION 3. That the Area of Impact and Zoning Districts Map for the City of Twin Falls, Idaho, be and the same is hereby amended to reflect the rezoning of the real property above described.

Dated this 22 day of September, 2008.

TWIN FALLS COUNTY BOARD OF COMMISSIONERS

/s/ Tom Mikesell

Tom Mikesell, Chairman

George Urie, Commissioner

/s/ Terry Ray Kramer

Terry Ray Kramer, Commissioner

ATTEST:

/s/ Kristina Glascock  
Kristina Glascock, Clerk

In the Matter of MEETING

Commissioner Mikesell attended a Mental Health Board retreat.

In the Matter of AIRPORT

Commissioner Kramer attended the Twin Falls Airport Advisory board meeting.

There being no further business, the Board recessed until 8:00 a.m., September 23, 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 SEPTEMBER MEETING  
September 23, 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 September. 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 Mikesell motioned to go into executive session pursuant to Idaho Code §67-2345D. Second Commissioner Kramer. Motion passed (Kramer yes, Urie yes, Mikesell yes).

Commissioner Mikesell motioned to leave executive session. Second Commissioner Kramer. Motion passed.

Commissioners returned to regular session at 9:56 a.m.

Commissioner Kramer motioned to approve case numbers 96094, 96095, 96096, 96121, 96093, 96126, 96157, 96083, and 96087. Second Commissioner Urie. Motion failed .

Commissioner Urie motioned to approve case number 95833. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96084. Second Commissioner Urie. Motion failed.

Commissioner Urie motioned to approve \$480 rent with a \$50.00 per month payback on case number 96162. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96098 with a \$25.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96101. Second Commissioner Kramer. Motion failed.

Commissioner Kramer motioned to approve case number 96090 with a \$50.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96183 with a \$100.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Kramer motioned to approve case number 95956. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96173 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case numbers 95893 and 96080 with a \$50.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96086 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96168 with a \$50.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96186. Second Commissioner Kramer. Motion failed.

Commissioner Kramer motioned to approve case number 96092. Second Commissioner Urie. Motion failed.

Commissioner Urie motioned to approve \$345 rent with a \$25.00 per month payback on case number 96163. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96170 with a \$100.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96085. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96152 with a \$25.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96019 with a \$100.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96109 with a \$25.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96053. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96122. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95460. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95858. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95825 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95937 with a \$25.00 per month payback. Second Commissioner Mikesell. Motion passed.

Commissioner Kramer motioned to approve case number 96188. Second Commissioner Mikesell. Motion failed.

Commissioner Urie motioned to approve case number 96195 with a \$50.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96169 with a \$25.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve July expenses with a \$100.00 per month payback on case number 95870. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95965 with a \$40.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96190 with a \$100.00 per month payback. Second Commissioner Kramer. Motion passed.

In the Matter of CONTRACT

Commissioners considered a contract with Inga Elkin.

Commissioner Kramer motioned to approve the Professional Service agreement for Inga Elkin. Second Commissioner Urie. Discussion. Commissioner Kramer been to legal an she's working out well. Motion passed.

In the Matter of JUVENILE

Commissioners considered a Memorandum of Understanding for Juvenile Corrections.

Commissioner Kramer motioned to approve MOU for clinical services in Juvenile Detention with the state. Second Commissioner Urie. Motion passed.

In the Matter of SIRCOMM

Commissioner Kramer motioned to approve payment for shortfall for 2007-2008 in the amount of \$28,862.00. Second Commissioner Urie. Discussion. Commissioner Urie do any other counties have shortfall. Commissioner Mikesell all do. Commissioner Urie do they all pay? Commissioner Mikesell that's their business not ours. All the other counties pay a lump sum to SIRCOMM and go collect the money. Ours was set up so the people send their money directly to SIRCOMM. Motion passed.

There being no further business, the Board recessed until 8:00 a.m., September 24, 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 SEPTEMBER MEETING  
September 24, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 23 September. 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 SOLID WASTE

Commissioner Urie attended the Solid Waste board meeting.

There being no further business, the Board recessed until 8:00 a.m., September 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 SEPTEMBER MEETING  
September 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 24 September. 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 ZONING

Commissioners met to consider appointment of Fritz Wonderlich to represent Twin Falls County for an Area of Impact enforce in Filer.

Jennifer Gose-Eells, Chief Civil Deputy Prosecutor, stated Fritz Wonderlich, the Prosecutor for the City of Filer, has spoken with me regarding filing an enforcement action. Our County Ordinance 8-9-19C addresses the Area of Impact in Filer. Paragraph 2 states that the Comprehensive Plan and amendments along with the zoning and subdivision ordinances adopted by the City is what will apply to the area of impact. In paragraph 4, it states the Area of City Impact shall be administered by the City's governing board. In section 7 it also refers to the Idaho Code section how we view that would happen. In past years, when talking about area of impacts, as set forth by the Legislature and explained in different case law the purpose is for the counties and cities to develop together an area around the city that will be developed in the future at some point. So when the City does eventually annex the area it is planned for and will conform with City rules. The Ordinances and the Comprehensive Plan of the City is what we are going to use. The City administers that. They know their own ordinance and comprehensive plans. My office has spoken with Mr. Wonderlich about prosecuting any enforcement actions in the Area of Impact. Technically, they are not within city limits but this is a joint area as set forth by Idaho Code. Since this falls under the City's authority, it makes sense he be the one to enforce those actions. There has been a recent question in a case he was doing if he has the authority to do this. I spoke with Mr. Wonderlich and Mr. Loeb in December about this and he was authorized to do this. The Commissioners did not disagree and so today I'm asking for the Commissioners to authorize Mr. Wonderlich to continue prosecuting this on behalf of the County of Twin Falls and the City of Filer.

Commissioner Urie should we make this case by case of countywide. Ms. Gose-Eells we should do this for the time being on a case by case basis. We have authorized Mr. Wonderlich to do this with the City of Twin Falls and the City of Filer. There are other areas it may make more sense for the County to do it. In this case it makes sense for Mr. Wonderlich to do it.

Commissioner Kramer motioned to authorize Mr. Wonderlich to act on our behalf on the Filer Area of Impact enforcement. Second Commissioner Urie. Discussion. Commissioner Mikesell this is a one time event. We will rely on the Prosecutor's Office if we allow this to happen again by their recommendation. Motion passed.

In the Matter of ZONING

Commissioners considered a letter of completion for Valley View Subdivision.

Commissioner Urie motioned to return letter of credit for Valley View Subdivision. Second Commissioner Kramer. Discussion. Commissioner Urie work has been completed. Motion passed.

In the Matter of CONSENT CALENDAR

Items include: status sheets, catering permit for Turf Club

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

Commissioner Kramer motioned to approve catering permit for the Turf Club. Second Commissioner Urie. Motion passed.

In the Matter of MEETING

Commissioner Kramer attended Buhl Rotary.

In the Matter of MEETING

Commissioners met with Mark Brunelle, Research and Development.

In the Matter of MEETING

Commissioners held an elected officials meeting.

In the Matter of AMBULANCE

Commissioner Kramer attended a paramedics meeting.

There being no further business, the Board recessed until 8:00 a.m., September 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 SEPTEMBER MEETING  
September 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 September. 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 HEALTH INITIATIVES TRUST

Commissioner Mikesell attended the Health Initiatives Trust finance meeting.

There being no further business, the Board recessed until 8:00 a.m., September 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 SEPTEMBER MEETING  
September 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 26 September. 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: August minutes and status sheets

Commissioner Kramer motioned to approve August minutes as presented. Second Commissioner Urie. Motion passed.

Commissioner Kramer motioned to approve status sheets as presented. Second Commissioner Urie. Discussion. Commissioner Kramer I've reviewed them and they are in order. Commissioner Mikesell these are the last of they early evaluations. Motion passed.

In the Matter of ZONING

Commissioners considered the Findings of Fact for Parker's Pond.

Commissioner Urie motioned to approve Findings of Fact and Conclusions of Law on Parker's Pond Subdivision. Second Commissioner Kramer. Discussion. Commissioner Kramer this has been presented to us. Motion passed.

In the Matter of ZONING

Commissioners considered the Findings of Fact for Thiebert Subdivision.

Commissioner Kramer motioned to approve Findings of Fact and Conclusions of Law for Thiebert subdivision. Second Commissioner Urie. Discussion. Commissioner Kramer this has been brought before us and is the final step. Motion passed.

In the Matter of ZONING

Commissioners considered the status of the Ortega appeal. The requirements of Twin Falls County Code 8-3-9D have not been complied with.

Commissioner Kramer motioned to uphold the findings of the Planning and Zoning Commission due to lack of compliance with the ordinance in the appeal process. Second Commissioner Urie. Motion passed.

In the Matter of GRANT

Commissioners considered a DUI Grant.

Commissioner Kramer motioned to approve the DUI grant for 19,472.00 Second Commissioner Urie. Motion passed.

There being no further business, the Board recessed until 8:00 a.m., September 30, 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 SEPTEMBER MEETING  
September 30, 2008, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 29 September. 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 Commissioner Kramer. Motion passed (Kramer yes, Urie yes, Mikesell yes).

Commissioner Mikesell motioned to leave executive session. Second Commissioner Kramer. Motion passed.

Commissioners returned to regular session at 9:11 a.m.

Commissioner Kramer motioned to approve case numbers 96111 and 96114. Second Commissioner Urie. Motion failed.

Commissioner Kramer motioned to approve case number 96140. Second Commissioner Urie. Motion failed.

Commissioner Urie motioned to approve the extraction portion and continue existing payback on case number 96196. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96105. Second Commissioner Urie. Motion failed.

Commissioner Urie motioned to approve case number 95956. Second Commissioner Kramer. Motion passed.

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

Commissioner Mikesell motioned to leave executive session. Second Commissioner Kramer. Motion passed.

Commissioners returned to regular session at 9:40 a.m.

Commissioner Kramer motioned to approve case number 96020. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96053. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95947. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95921. Second Commissioner Kramer. Motion failed.

Commissioner Kramer motioned to approve case number 96155. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 95923 with a \$50.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96075 with a \$50.00 per month payback and reviewed in three months. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96174 with a \$10.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96204 with a \$35.00 per month payback and the payment of COBRA if that's found to be more advantageous for three months. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96197 with a \$10.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96205. Second Commissioner Urie. Motion failed.

#### In the Matter of PARKS AND WATERWAYS

Commissioners considered a Rock Creek property donation Memorandum of Understanding.

Mark Brunelle, Research and Development, this is a letter to make sure the offer is still on the table from last fall. I wanted to send a letter and it looks like we should be getting funds soon from the Southern Idaho Land Trust to get started. The MOU is to create the site plan. We will have to do a contour map as well. This is to access the property.

Commissioner Urie motioned to approve the MOU for the Montgomery property by Rock Creek Park. Second Commissioner Kramer. Discussion. Commissioner Urie this needs to be done so we can create a site plan for future park use. Motion passed.

#### In the Matter of TRANSPORTATION

Commissioners considered a Memorandum of Understanding with Idaho Transportation Department.

Mark Brunelle, Research and Development, this is between ITD and Sheriff's Office for e-citations grant. There had to be clarification as far as performance measures. Timeliness and accuracy is what we are looking at. This will eliminate the five day lag between when the ticket is written and when it is received by the court. The information is automatically loaded from the drivers license to the e-citation. ITD made some minor changes.

Commissioner Urie motioned to allow Commissioner Mikesell to sign the Idaho Transportation Safety Grant MOU for the e-citation project. Second Commissioner Kramer. Motion passed.

#### In the Matter of AMBULANCE DISTRICT

Commissioner Kramer motioned to leave Board of County Commissioners and open as Twin Falls Ambulance District. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve the Filer Fire Department appropriation amount of \$4500. Second Commissioner Mikesell. Discussion. Commissioner Kramer maximum amount allowed. Motion passed.

Commissioner Urie motioned to approve Filer QRU capital equipment expenditure of \$3,036.13 to Middlekauff. Second Commissioner Mikesell. Motion passed.

Commissioner Urie motioned to approve the reimbursement of expenses in the amount of \$710.64 for Buhl QRU. Second Commissioner Mikesell. Discussion. Commissioner Kramer this is balance from the previous draw. Motion passed.

Commissioner Mikesell motioned to approve ordinary and necessary expenses of \$3,881.27. Second Commissioner Urie. Motion passed (Kramer abstained).

Commissioner Mikesell motioned to approve the Rock Creek ordinance and necessary expenses of \$4,500.00. Second Commissioner Urie. Motion passed.

Commissioner Mikesell motioned to approve capital outlay for \$4,640.00 for Rock Creek QRU. Second Commissioner Urie. Discussion. Commissioner Kramer this is capital outlay for new radios when the two units merged. Motion passed.

Commissioner Mikesell motioned to approve auditing of Ware and Associations for Ambulance District. Second Commissioner Urie. Motion passed.

Commissioner Mikesell motioned to leave Ambulance District and reopen as Board of County Commissioners. Second Commissioner Urie. Motion passed.

#### In the Matter of BUDGET

Commissioners considered a Resolution for the Sheriff's Office fiscal year 2008-2009 budget.

Clerk Kristina Glascock presented Resolution 2008-29 which says that we have already put \$30,000 in the Sheriff's line for vehicle maintenance and this gives him another \$58,000 in his fuel

maintenance line and takes it from the general reserve. I added on the second page that if he expends anymore from his 410 budget that exceeds this appropriation it will be paid from fiscal year 08-09.

Commissioner Kramer motioned to approve 2008-29 as presented. Second Commissioner Urie. Discussion. Commissioner Mikesell we need to get a handle on the fuel expenses so we can budget an appropriate amount. Commissioner Urie I think fuel prices are a moving target and hopefully they will stabilize more. Commissioner Kramer I think the advantage that we have for next year is we have made a line item specifically for fuel so we will be able to monitor that and hold him harmless on the fuel end of that if prices continue to escalate. Commissioner Mikesell that also works the other direction if those prices go down. Motion passed.

#### RESOLUTION NO. 2008 - 29

WHEREAS, on September 5, 2007, the Twin Falls County Board of Commissioners adopted the fiscal year 2008 budget for Twin Falls County as published; and

WHEREAS, pursuant to Idaho Code §31-1605, the Board of County Commissioners have the right to make a general reserve appropriation in the event of any unforeseen contingency arising, which could not reasonably have been foreseen at the time of making the budget and which shall require the expenditure of money not provided for in the budget; and

WHEREAS, the Board of County Commissioners, by unanimous vote, shall have the right to make an appropriation from the general reserve appropriation; and

WHEREAS, the Sheriff's budget had unforeseen vehicle fuel/maintenance costs during fiscal year 2008; and

WHEREAS, on August 4, 2008 by Resolution 2008-18, the Board of County Commissioners made an appropriation from the general reserve to increase the budgeted amount in Sheriff's B budget line 10.04 from \$170,000 to 200,000; and

WHEREAS, additional funds from the general reserve appropriation need to be transferred to the Sheriff's B budget for vehicle fuel/maintenance costs; and

NOW, THEREFORE BE IT RESOLVED that the Twin Falls Board of Commissioners unanimously adopts this resolution and makes an appropriation from the general reserve to increase the budgeted amount in the Sheriff's B budget by \$58,000 for FY 2007-2008 pursuant to Idaho Code §31-1605.

<b>Line item</b>	<b>Budget Amount</b>	<b>Increase</b>	<b>Amended Budget Amount</b>
100.410.02.010.04	\$200,000	\$58,000	\$258,000

<b>Line item</b>	<b>Budget Amount</b>	<b>Decrease</b>	<b>Amended Budget Amount</b>
100.400.02.83.02	\$58,000	\$58,000	\$0

IT IS FURTHER RESOLVED that the Twin Falls Board of Commissioners unanimously adopts this resolution and orders that any B budget expenditures from the Sheriff's 410 budget that will exceed the budget appropriation for fiscal year 2007-2008 shall be paid from fiscal year 2008-2009 so that the expenditures are not in excess of the budget appropriation pursuant to I.C. §31-1607.

DATED this 30<sup>th</sup> day of September, 2008.

TWIN FALLS COUNTY BOARD OF  
COMMISSIONERS

/s/ Tom Mikesell  
Tom Mikesell, Chairman

/s/ George Urie  
George Urie, Commissioner

/s/ Terry Ray Kramer  
Terry Kramer, Commissioner

ATTEST:

/s/ Kristina Glascock  
Kristina Glascock, Clerk

In the Matter of BUDGET

Commissioners considered a Resolution for the Safe House's fiscal year 2008-2009 budget.

Clerk Kristina Glascock stated Val has had to pay what has exceed the grant for construction of the new Safe House. Everything will now be coming from her budget. I put in \$20,000 for her to hopefully get her through the year.

Commissioner Kramer motioned to approve Resolution 2008-30. Second Commissioner Urie. Discussion. Commissioner Mikesell we have worked very hard to keep this line item in pace with the \$50,000, and we knew it wouldn't be enough to cover the construction. Motion passed.

RESOLUTION NO. 2008 - 30

WHEREAS, on September 5, 2007, the Twin Falls County Board of Commissioners adopted the fiscal year 2008 budget for Twin Falls County as published; and

WHEREAS, pursuant to Idaho Code §31-1605, may proceed to adjust the budget as adopted;  
and

WHEREAS, the Safe Place has had unforeseen contingency arising, which could not reasonably have been foreseen at the time of making the budget and which shall require the expenditure of money not provided for in the budget due to the construction of a new safe house; and

WHEREAS, the Safe Place unexpended fund balance will be used to make the budget adjustment; and

NOW, THEREFORE BE IT RESOLVED that the Twin Falls Board of Commissioners unanimously adopts this resolution and increases the budgeted amount in the Safe Place B budget by \$20,000 for FY 2007-2008 pursuant to Idaho Code §31-1605.

<b>Line item</b>	<b>Budget Amount</b>	<b>Increase</b>	<b>Amended Budget Amount</b>
106.496.02.004.00	\$2,000	\$20,000	\$22,000

DATED this 30<sup>th</sup> day of September, 2008.

TWIN FALLS COUNTY BOARD OF COMMISSIONERS

/s/ Tom Mikesell  
Tom Mikesell, Chairman

/s/ George Urie  
George Urie, Commissioner

/s/ Terry Ray Kramer  
Terry Kramer, Commissioner

ATTEST:

/s/ Kristina Glascock  
Kristina Glascock, Clerk

In the Matter of BUDGET

Commissioners considered a Resolution for the Weed's fiscal year 2008-2009 budget.

Clerk Kristina Glascock stated this Resolution is unanticipated revenue received for the Weed Department. She was given permission to spend \$10,000 of it on seasonals. This is increasing her A budget for additional seasonal help.

Commissioner Urie motioned to approve Resolution 2008-31. Second Commissioner Kramer. Motion passed.

RESOLUTION NO. 2008 - 31

WHEREAS, on September 5, 2007, the Twin Falls County Board of Commissioners adopted the fiscal year 2008 budget for Twin Falls County as published; and

WHEREAS, after the budget was adopted, Twin Falls County became aware of unanticipated revenue that was not budgeted in the fiscal year 2008 budget for Twin Falls County; and

WHEREAS, pursuant to Idaho Code §31-1605, the county has the authority to reopen its budget if unanticipated revenue is received so that it can be expended by the County during the current fiscal year; and

WHEREAS, the Weed department received unanticipated revenue; and

NOW, THEREFORE BE IT RESOLVED that Twin Falls Board of Commissioners unanimously adopts this resolution and increases the budgeted amount in the Weeds A budget by \$10,000 for FY 2007-2008 pursuant to Idaho Code §31-1605.

<b>Line item</b>	<b>Budget Amount</b>	<b>Increase</b>	<b>Amended Budget Amount</b>
113.413.01.002.00	\$12,000	\$10,000	\$22,000

DATED this 30<sup>th</sup> day of September, 2008.

TWIN FALLS COUNTY BOARD OF COMMISSIONERS

/s/ Tom Mikesell  
Tom Mikesell, Chairman

/s/ George Urie  
George Urie, Commissioner

/s/ Terry Ray Kramer  
Terry Kramer, Commissioner

ATTEST:

/s/ Kristina Glascock  
Kristina Glascock, Clerk

In the Matter of BUDGET

Commissioners considered a Resolution for County Assistance's fiscal year 2008-2009 budget.

Clerk Kristina Glascock this is the indigent budget where we have had an increase in medical indigent cases that we didn't know at the time of budgeting. We need to put \$216,000 to cover the increase in medical indigent cases and we will use the unexpended fund balance to make the adjustment.

Commissioner Urie motioned to approve Resolution 2008-32 to increase the indigent budget by \$216,000. Second Commissioner Kramer. Discussion. Commissioner Mikesell this is about 20% increase over the budget line item. Clerk Glascock I don't change the million dollar figure. This is the physician line. Her total budget last year was 2.4. Motion passed.

RESOLUTION NO. 2008 - 32

WHEREAS, on September 5, 2007, the Twin Falls County Board of Commissioners adopted the fiscal year 2008 budget for Twin Falls County as published; and

WHEREAS, pursuant to Idaho Code §31-1605, may proceed to adjust the budget as adopted; and

WHEREAS, County Assistance has had unforeseen contingency arising, which could not reasonably have been foreseen at the time of making the budget and which shall require the expenditure of money not provided for in the budget due a increase in medical indigent cases; and

WHEREAS, the County Assistance unexpended fund balance will be used to make the budget adjustment; and

NOW, THEREFORE BE IT RESOLVED that the Twin Falls Board of Commissioners unanimously adopts this resolution and increases the budgeted amount in the County Assistance B budget by \$216,000 for FY 2007-2008 pursuant to Idaho Code §31-1605.

<b>Line item</b>	<b>Budget Amount</b>	<b>Increase</b>	<b>Amended Budget Amount</b>
130.430.02.075.02	\$888,800	\$216,000	\$1,104,800

DATED this 30<sup>th</sup> day of September, 2008.

TWIN FALLS COUNTY BOARD OF COMMISSIONERS

/s/ Tom Mikesell  
Tom Mikesell, Chairman

/s/ George Urie  
George Urie, Commissioner

/s/ Terry Ray Kramer  
Terry Kramer, Commissioner

ATTEST:

/s/ Kristina Glascock  
Kristina Glascock, Clerk

In the Matter of BUDGET

Commissioners considered a Resolution for the Public Defender's fiscal year 2008-2009 budget.

Clerk Kristina Glascock this is for the Public Defender's Office. During the middle of the fiscal year, you allowed them to hire a full time attorney and secretary. She will only need \$35,000 to cover the expenses. It will come from the Justice Fund Reserve.

Commissioner Kramer motioned to approve Resolution 2008-33 for the Public Defender. Second Commissioner Urie. Discussion. Commissioner Mikesell as we grow in population and size we will continue to have public defender needs. Motion passed.

RESOLUTION NO. 2008 - 33

WHEREAS, on September 5, 2007, the Twin Falls County Board of Commissioners adopted the fiscal year 2008 budget for Twin Falls County as published; and

WHEREAS, pursuant to Idaho Code §31-1605, the Board of County Commissioners have the right to make a general reserve appropriation in the event of any unforeseen contingency arising, which could not reasonably have been foreseen at the time of making the budget and which shall require the expenditure of money not provided for in the budget; and

WHEREAS, the Board of County Commissioners, by unanimous vote, shall have the right to make an appropriation from the general reserve appropriation; and

WHEREAS, the Board of County Commissioners approved a full-time attorney and secretary for the public defender's office during fiscal year 2008; and

WHEREAS, the funds from the Justice Fund reserve appropriation need to be transferred to the Public Defender's A budget to pay for these two full-time positions; and

NOW, THEREFORE BE IT RESOLVED that the Twin Falls Board of Commissioners unanimously adopts this resolution and makes an appropriation from the Justice Fund reserve to increase the budgeted amount in the Public Defender's A budget by \$35,000 for FY 2007-2008 pursuant to Idaho Code §31-1605.

<b>Line item</b>	<b>Budget Amount</b>	<b>Increase</b>	<b>Amended Budget Amount</b>
196.406.01.001.00	\$619,320	\$35,000	\$654,320

<b>Line item</b>	<b>Budget Amount</b>	<b>Decrease</b>	<b>Amended Budget Amount</b>
196.496.02.001.00	\$150,000	\$35,000	\$115,000

DATED this 30<sup>th</sup> day of September, 2008.

TWIN FALLS COUNTY BOARD OF  
COMMISSIONERS

/s/ Tom Mikesell  
Tom Mikesell, Chairman

/s/ George Urie  
George Urie, Commissioner

/s/ Terry Ray Kramer  
Terry Kramer, Commissioner

ATTEST:

/s/ Kristina Glascock  
Kristina Glascock, Clerk

In the Matter of BUDGET

Commissioners considered a Resolution for the Prosecutor's fiscal year 2008-2009 budget.

Clerk Kristina Glascock stated the Prosecutor was allowed to hire one full time attorney. He paid \$10,000 for this position out of the drug reimbursement funds. The \$37,000 is what the difference is that he will need.

Commissioner Urie motioned to approve Resolution 2008-34 for the Prosecuting Attorney's A budget to increase \$37,000. Second Commissioner Kramer. Discussion. Commissioner Kramer it takes more on each side. Motion passed.

RESOLUTION NO. 2008 - 34

WHEREAS, on September 5, 2007, the Twin Falls County Board of Commissioners adopted the fiscal year 2008 budget for Twin Falls County as published; and

WHEREAS, pursuant to Idaho Code §31-1605, the Board of County Commissioners have the right to make a general reserve appropriation in the event of any unforeseen contingency arising, which could not reasonably have been foreseen at the time of making the budget and which shall require the expenditure of money not provided for in the budget; and

WHEREAS, the Board of County Commissioners, by unanimous vote, shall have the right to make an appropriation from the general reserve appropriation; and

WHEREAS, the Board of County Commissioners approved a full-time attorney for the prosecutor attorney's office during fiscal year 2008; and

WHEREAS, the funds from the Justice Fund reserve appropriation need to be transferred to the Prosecuting Attorney's A budget to pay for this full-time position; and

NOW, THEREFORE BE IT RESOLVED that the Twin Falls Board of Commissioners unanimously adopts this resolution and makes an appropriation from the Justice Fund reserve to increase the budgeted amount in the Prosecuting Attorney's A budget by \$37,000 for FY 2007-2008 pursuant to Idaho Code §31-1605.

<b>Line item</b>	<b>Budget Amount</b>	<b>Increase</b>	<b>Amended Budget Amount</b>
196.409.01.001.00	\$930,677	\$37,000	\$967,677

<b>Line item</b>	<b>Budget Amount</b>	<b>Decrease</b>	<b>Amended Budget Amount</b>
196.496.02.001.00	\$115,000	\$37,000	\$78,000

DATED this 30<sup>th</sup> day of September, 2008.

TWIN FALLS COUNTY BOARD OF COMMISSIONERS

/s/ Tom Mikesell  
Tom Mikesell, Chairman

/s/ George Urie  
George Urie, Commissioner

/s/ Terry Ray Kramer  
Terry Kramer, Commissioner

ATTEST:

/s/ Kristina Glascock  
Kristina Glascock, Clerk

In the Matter of BUDGET

Commissioners considered a Resolution for the grants and pass through accounts for fiscal year 2008-2009 budget.

Clerk Kristina Glascock presented grants and the pass through accounts. The budgeted amount column is nothing because they were new grants we got mid year. There is revenue to cover all of these.

Commissioner Kramer motioned to approve the list of miscellaneous grants and pass throughs 2008-35. Second Commissioner Urie. Motion passed.

RESOLUTION NO. 2008 - 35

WHEREAS, on September 5, 2007, the Twin Falls County Board of Commissioners adopted the fiscal year 2008 budget for Twin Falls County as published; and

WHEREAS, after the budget was adopted, Twin Falls County became aware of unanticipated revenue that was not budgeted in the fiscal year 2008 budget for Twin Falls County; and

WHEREAS, pursuant to Idaho Code §31-1605, the county has the authority to reopen its budget if unanticipated revenue is received so that it can be expended by the County during the current fiscal year; and

WHEREAS, Twin Falls County received unscheduled revenue and grants to cover the expenses on the following budgets; and

NOW, THEREFORE BE IT RESOLVED that the Twin Falls Board of Commissioners unanimously adopts this resolution and increases the budgeted amount in the following budgets for FY 2007-2008 pursuant to Idaho Code §31-1605.

<b>Line item</b>	<b>Budget Amount</b>	<b>Increase</b>	<b>Amended Budget Amount</b>
<b>Juvenile Corrections Act Fund</b>			
608.908.01.001.00	\$99,840	\$1.00	\$99,841
608.908.02.073.00	\$13,646	\$118	\$13,764
<b>Adult Substance Abuse Grant</b>			
611.911.02.001.00		\$80,000	\$80,000
<b>Rose St. Safe House</b>			
612.912.02.001.00		\$50,000	\$50,000
<b>Parks Grants</b>			
635.935.02.003.00		\$10,147	\$10,147
635.935.02.004.00		\$2,287	\$2,287
635.935.02.005.00		\$14,103	\$14,103
<b>Social Activities Group Grant</b>			
641.941.02.005.00		\$220	\$220
641.941.02.006.00		\$353	\$353
641.941.02.007.00		\$133	\$133
641.941.02.020.00		\$1,985	\$1,985
641.941.02.021.00		\$370	\$370
641.941.02.022.00		\$405	\$405
<b>TF CO. Sheriff's Reserves</b>			
650.950.02.001.00		\$1,570	\$1,570
<b>Sheriff Vests</b>			
666.966.02.031.09	\$5,950	\$9,332	\$15,282
<b>TF CO Sheriff Search &amp; Rescue</b>			

671.971.02.001.00	\$20,000	\$3,858	\$23,858
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**Underage Drinking – Media Project**

677.977.02.001.00		\$1,485	\$1,485
677.977.02.002.00		\$15,321	\$15,321

**Youth Court**

682.982.02.001.00	\$24,200	\$5,000	\$29,200
682.982.02.003.00		\$38,000	\$38,000
682.982.02.004.00		\$10,000	\$10,000
682.982.02.005.00		\$4,000	\$4,000

**DUI Court**

685.985.02.001.00		\$16,700	\$16,700
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**Sheriff's Grants**

687.987.02.003.00	\$5,400	\$208	\$5,608
687.987.02.008.00		\$26,699	\$26,699

**Twin Falls County Extension**

109.409.02.004.02	\$3,500	\$3,000	\$6,500
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DATED this 30<sup>th</sup> day of September, 2008.

TWIN FALLS COUNTY BOARD OF COMMISSIONERS

/s/ Tom Mikesell  
Tom Mikesell, Chairman

/s/ George Urie  
George Urie, Commissioner

/s/ Terry Ray Kramer  
Terry Kramer, Commissioner

ATTEST:

/s/ Kristina Glascock  
Kristina Glascock, Clerk

In the Matter of AMENDED AGENDA

Commissioner Kramer motioned to amend the agenda to consider a Benchmark contract. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve the Benchmark Drug Court extension. Second Commissioner Kramer. Motion passed.

In the Matter of BUDGET

Expenditures by fund for September 2008:

Fund 100	Current Expense	\$1,423,509.82
Fund 102	Tort	2,377.50
Fund 106	Safe Place	50,593.40
Fund 108	Capital Projects Fund	199,025.69
Fund 109	Twin Falls County Extension	11,774.96
Fund 113	Weeds	17,458.09
Fund 114	Parks and Recreation	16,698.56
Fund 115	Solid Waste	96,566.80
Fund 116	Ad Valorem	69,517.93
Fund 118	District Court	52,481.02
Fund 130	Indigent Fund	249,027.14
Fund 131	Public Health	27,710.75
Fund 132	Revenue Sharing	0.00
Fund 136	Pest Control	0.00
Fund 167	TF Co Public Health & Welfare	50,765.68
Fund 174	County Boat License	36,140.63
Fund 175	Snowmobiles	0.00
Fund 196	Justice Fund	588,383.54
Fund 608	Juvenile Correction Act Funds	10,729.30
Fund 609	Tobacco Tax Grant	18,308.95
Fund 610	Boat Grant Waterways Match	10,515.87
Fund 611	Adult Substance Abuse Grant	4,500.22
Fund 612	Rose St. Safe House	14,499.76
Fund 620	Status Offender Services	7,023.19
Fund 630	Fifth District SOS	2,574.52
Fund 634	Section 157 Occupant Protection	543.43
Fund 635	Parks-Grants	0.00
Fund 638	SFP-Twin Falls	210.45
Fund 639	Strength Fam Pro (Burley)	0.00
Fund 641	Social Activities Group Grant	0.00
Fund 645	JAG Grant	1,512.45
Fund 650	Twin Falls Co. Sheriffs Reserves	10,207.42
Fund 651	Sheriff Donation Fund	0.00
Fund 652	Sheriff Drug Seizure Money	0.00
Fund 659	Prosecutor's Drug Seizure Money	1,617.10
Fund 660	Court Facility/Program Funds	729.10
Fund 663	Sheriff's Youth Plate	395.00
Fund 666	Sheriff-Vests	0.00
Fund 667	Prosecutor Drug Reimb	4,559.61

Fund 671	Twin Falls Co Sheriff Search & Rescue	0.00
Fund 673	Juvenile Probation Misc.	0.00
Fund 674	Twin Falls County Insurance	0.00
Fund 676	VOCA Mediation Grant	3,113.37
Fund 677	Underage Drinking-Media Project	2,693.72
Fund 679	Centennial Wetland Complex Project	0.00
Fund 681	Drug Court	9,188.55
Fund 682	Youth Court	6,733.64
Fund 683	Court Assistance	540.54
Fund 684	Family Court Services	5,212.00
Fund 685	DUI Court	3,607.19
Fund 686	Mental Health Court	905.23
Fund 687	Sheriff's Grants	8,950.65
Fund 691	Coroner-Coverdell Grant	0.00
TOTAL		\$3,023,536.67

There being no further business, the Board recessed until 8:00 a.m., October 1, 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.