

Twin Falls, Idaho  
REGULAR JANUARY MEETING  
January 2, 2009, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 31 December. 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., January 3, 2009, 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 JANUARY MEETING  
January 5, 2009, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 2 January. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of ZONING

Commissioners held an appeal hearing on Kimberly Falls Subdivision.

Jeff Rohlig representing Mitch Soule, owner of the property. This property is 144 acres. It's a unique piece of ground. It has elevation to it. It has a couple of laterals coming through it. It's located on 3700 East. Highway 30 borders the south side of the property. The proposed subdivision would have 96 lots and some common ground. The laterals run through the subdivision. There are a couple ponds that would be quite an addition to Twin Falls County. It's located between Kimberly and Hansen. There are two subdivisions on the other side of the road that are in the Hansen Area of Impact. At this stage there were two requirements for the developer. He needed to obtain a conditional use permit and approval of the preliminary plat. Both applications went to the Twin Falls County Planning and Zoning Commission. In support of those applications there was a professional plat prepared by Reidesel Engineers. As far as I can tell it contains all requirements set out by County Ordinance. In addition to the plat that they prepared and submitted, there was a general impact study that was done. There was an extensive traffic study done to determine that the roadway, particularly 3700 and the roads that connect to 3700, would be adequate to serve the traffic needs. There was also a preliminary flood study that was prepared. The canal study showed issues for further study. No one was trying to hide it we just felt it wasn't necessary at the preliminary plat stage to go further. One of the points is whether the canals and coulees have sufficient capacity to hold the 100 year run off of the water. Another important issue is whether or not the upstream canals or coulees have sufficient capacity and structure that this so called 100 year flow of water would even get to this property. The engineers have a strong suspicion that the upstream facilities would

wash out and this water would never get there anyway. There was one other issue concerning a pond that exists on the property. There is nothing wrong with the pond but the Twin Falls Highway District was insistent upon getting an easement on the property and the developers agreed they will provide it on the property. The road may get built at some point in the future. There is a conflict between the roadway easement and the Twin Falls Canal Company easement. In addition to those various studies there were comment letters contained from the various required entities. The Canal Company submitted that they were fine with the concept but want a binder for the ponds and easements. Twin Falls Highway District signed off on this with conditions. Despite all that, the Planning and Zoning Commission turned down both the applications and, in my view, they failed to comply with the County Ordinance when they turned down those applications. They sidetracked themselves with various issues that should not have been part of the discussion at the preliminary plat stage. There are two applications, and as I see it, they serve different purposes. The purpose of that application is to determine whether or not the proposed development will fit with the neighborhood. They failed to examine those. The Commission, through their finding, say there was insufficient use to find it was compatible in the area. This area is largely agricultural. There are no pig farms, no industries. Right across the street there are two other subdivisions already. I don't think there is anything about this high quality residential subdivision that is inconsistent with that use out there. It fits perfectly. I just don't see why the conditional use permit should not have been granted outright. It's plenty big, it's served by roads, good county roads. I think the conditional use permit should have been granted outright. When you look at the Code requirements listed, the applicant and his engineers put together everything that was needed. This is the preliminary plat saying you can go ahead with your plan on this, but we have certain conditions we need you to meet. That isn't what happened. There was discussion about we don't have a final flood study done. The purpose of the preliminary study was to determine the issues. Initially this subdivision was going to have public roads dedicated to the Highway District. It was suggested that we make the roads private. We were okay with that. Also instead of doing this in one phase the plan now is two phase. There was some discussion about the public not having comment on this subdivision. There was an issue as to there wasn't a set plan to where the mailboxes were going to be located. I've read this subdivision ordinance a lot of times and don't see where that is necessary. We haven't designated the bus stop pick up area either but those are conditions on the final plat. The Commission talked about this is going to be a tough deal for the homeowner's association to handle these things. It's not that hard to put together a homeowner's association. It's done all the time. There's another subdivision in the County that is private. These are considerations that are easily dealt with in the process leading up to a final plat. There needs to be more work done on the flood study but don't put these developers to the expense of a flood study if they are at a stage when they don't know if Planning and Zoning is going to allow the subdivision. These points are all easily dealt with down the road. These are not preliminary plat considerations. Preliminary plat is the time to look at this and see if it will work. In this process people were raising all kinds of questions and didn't know if it will work so they denied it. According to Twin Falls Subdivision Code it meets the considerations of getting a conditional use. This is a use that fits on the property, it is not going to adversely affect the neighbors, and the roads are sufficient. I feel the Commissioners should send this back to the Planning and Zoning Commission with a direction of reasonable conditions to be met prior to the final plat. The staff report had a number of considerations for conditions to be imposed if the Commissioners chose to approve the plat. I didn't see a problem with those. That's what should have been done to keep this development moving forward.

Bill Crafton, Planning and Zoning Director, the Planning and Zoning Commission reviewed the application. The aerial of the property shows the canal laterals. We also have the plat that was proposed by the applicant. The pond is existing on the property. The changes have been made. This has all been done prior to application. Some of the concerns the Commission had with the proposal is we are looking at the 100 year flood issues. We also looked at run off downstream that would not affect those properties. If the flows came up, will the stream go back to its original channel. Also at the meeting was concerns about water that runs to the other corner of the property that we weren't aware of. This property is lower than the pond. There is also a headgate and cell tower on the property. The plat that you are looking at here was submitted after the hearing. We got this in May after the April hearing as the preliminary flood study brought to light some issues that the Commission had concerns about. The ponds are not flood control ponds they are just aesthetics. These lots have access issues and will need a bridge to access them. It was also proposed that maybe in this location here would be the bus loading sites for the children. The only agency that had any chance to comment was the Highway District. The postal service, school district did not have an opportunity to comment. The Commission was concerned about the loading area being close to the waterfall area. The Commission was concerned about people living around the ponds. In this area here is where you have conflict between the Canal Company and Highway District easement. One concern of the Commission was if this subdivision goes to private roads and this other property develops we will have access issues at the half mile road. One reason we are concerned about it is these developments up here there is no connectivity to surrounding property. It causes problems for emergency services. We looked at this conditional use section in order for the Commission to make determination they need to have minimal information to make a decision. Our process is significantly different from the City. With respect to the conditional use requirements the Commission did not feel sufficient information was provided to make a determination. They didn't have a problem with the lay out as they did with how these other issues are going to be addressed.

Mr. Rohlig Mr. Crafton mentioned there was concern about downstream folks. It is what it is and it has been for a 100 years. Everything north of Highway 30 hasn't washed into the Snake River yet. The only additional water that would show up on this subdivision would be from the domestic wells. The irrigation of this subdivision would be through a high pressured irrigation system using Canal Company water. The water is going to get to the property and then dispersed. It's what's there. The water quantity is what is. Whether it is fairground or subdivision the same amount of water will end up there. The water isn't going to end up back in the canal it will seep down in to the aquifer. The headgate put in by the Canal Company the pond needs to get moved I guess but it looks to me we have the same issues right now. If the Highway District needs the road we can work that out. Until we get a final plat nobody wants to commit to anything. Until we get further down the process they don't know what the considerations are they will need to address in the agreement. It would be impossible for the applicant to provide anything. It's the way these things work. It was expressed there was concern about access to these two lots and a bridge was going to have to be built. That's not a plat issue it's a developer issue. He doesn't want to have a subdivision lot that's used for grazing. The safety around the ponds the ground slopes gently. It's not like these kids are going to look at a 10 foot hole to jump into. Maybe the CCR's for the subdivision need to address that in some way. It's a doable thing. I'm not sure how connectivity plays out here. If there was a subdivision built off to the west here, maybe there can be a street here if the Highway District is concerned about that. If the Fire Department is trying to get to a house, they aren't going to come

through the subdivision, they are going to come up Highway 30 and down. They are going to use the main highways until they get to the property. The only reason I mentioned Quail Ridge is the experience of this developer. The costs are not large. The cost for snow removal is not that big a deal. I think these applications should have been granted and the developer given the opportunity to go to the respective agencies. Once we are closer to the final plat approval, then it can go through the process. We need to let these guys get further down the road. This should be sent back to Planning and Zoning with a different approval for a number of a conditions.

Matt Pember, Deputy Prosecuting Attorney, April 8<sup>th</sup> is when you saw the plat. Mr. Crafton, Planning and Zoning Administrator, yes. Mr. Pember it had public roads. Mr. Crafton yes. Mr. Pember that plat was then tabled August 14<sup>th</sup> at the request of the developer. Mr. Crafton yes. Mr. Pember and tabled again in September. Mr. Crafton yes. It was finally heard September 11<sup>th</sup>. Mr. Pember at that point you were given a new plat. Mr. Crafton we were given another plat on the 27<sup>th</sup> of May to replace the existing plat. At that time it was our understanding there would be public roads. We look at different issues with public and private roads. The layout maybe different. On the public roads our main concern is connectivity. This road here provides connectivity and one concern is the cell tower. If you are going to change these to private roads then you have a whole host of other issues. If this is a private subdivision here and folks decide to gate things off they are within their rights to do so. When you have development over here it could be a problem. Mr. Pember did you make developer aware material changes will be a problem? Mr. Crafton yes. When this was presented at hearing there was the material change changing this to private roads. The only comment we had was the Highway District and no other agencies. I received a phone call from the school they had not worked out anything yet with the applicant to where the children were going to be. No decision had been made. Mr. Pember the Canal Company, other than their initial plat they reviewed, had no comment from them. Mr. Crafton the Canal Company had not reviewed the plat that had the changes on it. Not to my knowledge. Mr. Pember no paperwork saying they had. Mr. Crafton no. There was some mention being no 100 year flood study. There is a preliminary flood study done by the applicants representatives. The concern the Commission has with that is this whole area is going to be developed some day. The more we dump into this area the greater chance for flooding later. We do have one that has been built since that could be negatively impacted by this property. We don't have the information available to us about how these changes were going to affect that. The plat investigated on September 11<sup>th</sup> what was the list that prevented it from being approved. Mr. Crafton the items again go back to the school bus location, number of kids, worried about flooding issues and conflict with right of ways, concerned about access to these properties. The one thing we are charged with is that anything we approve is accessible. It's pertinent to know how they are going to be accessed. The Commission, due to the large area, there is a little over 6000 acres that drain on to this property. We just don't know what the affects will be on that. The water level in this area is two feet higher than the lot. Mr. Pember had any of the landowners within 300 feet been notified of the changes made in the plat since notice was sent out. Mr. Crafton no. Mr. Pember we only had one agency signed off. Mr. Crafton yes the Highway District. Mr. Pember how long have you been doing this. Mr. Crafton 10 years with the County and probably close to 25 years experience. Mr. Pember what is the preventing this plat from going through is all the issues up in the air on the development. Mr. Crafton it is better to get these design issues taken care of now not later. There will be a rain on snow event guaranteed. They have nothing on the record as to how these issues will be resolved. We don't have anything from the postal service, nothing from the

school district.

Mr. Pember there are a lot of issues here the Commission brought up. The largest issue is the 100 year flood. Would it be reasonable to request more than a preliminary flood study at this stage? Mr. Crafton we have had other developments where we have requested this information even at the rezone stage. We need to know the potential issues with the property. I've seen a lot of issues come before the Planning and Zoning Commission and when the comfort level is there they don't have an issue with it. Under 8-7-7D the proposed use including any conditions required by Planning and Zoning Commission will not adversely affect others in the area. How does the Planning and Zoning Commission know this won't adversely other property downstream without the information. Mr. Rohlig this development is not creating new water for the people downstream. Nor is this development not changing the water flow system that is already there. You are changing the way this property looks and the way it flows on it. You have no idea as to what it will do with the water. Rod Mathis, Reidesel Engineers, when this project is developed each of these lots will be required to retain their own water. You will have less water going into the canal. As these lots develop, they will retain the water they generate and you will have less water going into the area. The 100 year flood is something you cannot plan for. If you were to do this you would not have any development. Mr. Rohlig if the developer grants the easement the Highway District is insisting on it will be a conflict with the Canal Company. The roadway easement is 40 feet and the Canal Company wants a 30 foot easement around. They'll overlap. Chevy Bailey the ponds were constructed prior. The only thing between the public and private none of the layouts changed. The only thing that changed was whether it would be public or private. With the flood study we looked at it was my understanding we just needed to look into this to identify if there would be issues. In this area based on the FEMA map there is no 100 year flood worries in this area. I can understand their concern about adding this pond would cause flooding. We look at the contributing areas for these and try to get the worse case scenario. If we have to lose lots to make ponds it will happen. Commissioner Mikesell I don't see any retention for driveways or roads on this at all. Mr. Bailey right. We try to keep the lots on and the only real water we try to collect are off the streets.

Mr. Rohlig the changes to this plat were a phase line was added, the access area was widened, the roads were changed from private to public at the suggestion of the Highway District. Those are the changes. To me they are inconsequential. One person showed up at the hearing to testify and he was concerned about water running off onto this property from his farm. The review of this preliminary plat phase is not the end of the review for this. Once Mr. Crafton has reviewed it and makes his comments Planning and Zoning must vote to approve the final plat. Preliminary is preliminary. Nothing is going to sneak by and the concerns we are talking about need to get addressed before the final plat.

Commissioner Urie I'm having a problem with the difference between a conditional use permit and a preliminary plat. How many of these things do you have to talk about with the conditional use and the preliminary plat. You say there is not need this is compatible. I question the size of it. It may create conditions that are not the same as the ones across the street. If it doesn't fit the conditional use criteria then isn't the preliminary plat a moot point. Mr. Crafton with respect to these many of the same items are required for both.

Commissioner Kramer on the preliminary drawings the changes in the northwest corner are those in place today? Or is this the proposed shape in the future. Mr. Bailey that is what it looks like now. Commissioner Kramer were those physical changes from the traditional flow approved by the Canal Company prior to those changes being done. Vince Alberdi was involved in what was done out there. They serve as settlement ponds for the Canal Company.

Commissioner Kramer motioned to take this under advisement and supply a written decision within twenty working days. Second Commissioner Mikesell. Motion passed.

#### In the Matter of CONSENT CALENDAR

Items include: status sheets, tax cancellations, alcohol licenses

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

Commissioner Kramer motioned to approve tax cancellation on property RPF8401015029A for \$437.32 and allow a market credit in 2009 for the balance of \$97.56. Second Commissioner Urie. Motion passed.

Commissioner Kramer motioned to approve transfer of alcohol license for Twin Stop LLC dba Twin Stop Locust #9. Second Commissioner Urie. Motion passed.

#### In the Matter of ORDINANCE

Commissioners held a public hearing on a proposed ordinance for conditional use permits.

Rick Dunn, Planning and Zoning Administrator, this is an ordinance extending it for energy producing companies to do a development. It takes a lot of time to get everything done so we are extending it to a ten year time frame.

Commissioner Mikesell the language needs to be specific enough so we don't have abuses. Mr. Dunn we are thinking of things coming on line, wind towers, solar farms, things like that. Those are all electrical related. If we did public utility Idaho Power couldn't do anything. Commissioner Kramer we need to have a definition of utility. Mr. Dunn this would also permit Bettencourt's digester to create energy. Commissioner Mikesell in a lot of cases the study is 3 years out after approval. I would like to see language that the conditional use permit may be granted up to 10 years. If we put language in saying may be granted, we can say you have only 3 or 5 or even 10 years to get this done.

Commissioner Mikesell opened the public hearing. No public present to testify.

Commissioner Urie motioned to approve Ordinance 212 with the addition of and other utilities behind electrical, telephone, pipeline providers. Second Commissioner Kramer. Motion passed.

ORDINANCE NO. 212

AN ORDINANCE AMENDING TWIN FALLS COUNTY CODE TITLE 8 CHAPTER 7 SUBSECTION 8 CONDITIONAL USE LIMITATIONS, AMENDING TIME LIMITS FOR CONDITIONAL USE PERMITS AND, PROVIDING FOR SEVERABILITY AND REPEALING ANY PROVISIONS THAT CONFLICT WITH THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Twin Falls County, Idaho, deems it necessary to protect and promote the public health, safety and community welfare of Twin Falls County.

WHEREAS, the Twin Falls County Board of Commissioners anticipates the need to provide time limits for conditional use permits,

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 13<sup>th</sup> day of November, 2009.

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 5<sup>th</sup> day of January, 2009.

NOW, THEREFORE BE IT ORDAINED by the Twin Falls County Board of Commissioners of Twin Falls County, Idaho, that Twin Falls County Code Title 8 Chapter 7 Subsections 8. I be amended as follows:

Twin Falls County Code Title 8 Chapter 7 Subsections 8. I

Any person successful in obtaining a conditional use permit shall commence operations within a specified time of one (1) years. Any corporation or entity successful in obtaining a conditional use permit shall commence operations within a specified time of two (2) years. Electrical, telephone, pipeline providers, and other utilities successful in obtaining a conditional use permit shall commence operations within a specified time of ten (10) years. ~~If the person is unable to begin operations within the specified time frame, an extension may be sought from the Planning and Zoning Commission.~~ A conditional use / land division shall be ~~required to be~~ recorded with the County Assessor and Recorder within one (1) year.

Noncompliance with the above time limitations renders the approval of said permit null and void.

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.

Effective Date:

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

Approved by the Board of County Commissioners of Twin Falls County, Idaho, on this 5 day of January, 2009.

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 WEED

Commissioner Kramer motioned to approve Memorandum of Understanding for the Raft River Cooperative Weed Management Area. Second Commissioner Urie. Motion passed.

In the Matter of CONTRACT

Commissioners considered a lease for Snake River Basin Adjudication with State of Idaho.

Commissioner Kramer motioned to approve SRBA lease with State of Idaho as presented. Second Commissioner Urie. Discussion. Commissioner Kramer this is a 12 month lease and renewable for 2 years. The price is \$12.01 per foot. Motion passed.

In the Matter of ALCOHOL LICENSES

Bottled or canned beer not to be consumed on the premises and retail wine licenses were issued to Twin Stop #9.

There being no further business, the Board recessed until 8:00 a.m., January 6, 2009, 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 JANUARY MEETING

January 6, 2009, 8:00 a.m.

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

In the Matter of INDIGENT

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

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

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

Commissioner Kramer motioned to approve case numbers 96355, 96359, and 96351. Second Commissioner Mikesell. Motion failed.

Commissioner Kramer motioned to approve case number 96362 with a \$20.00 per month payback. Second Commissioner Mikesell. Motion passed.

Commissioner Kramer motioned to approve case number 95881. Second Commissioner Mikesell. Motion passed.

Commissioner Urie motioned to approve case number 96420. Second Commissioner Kramer. Motion failed.

Commissioner Kramer motioned to approve case number 96356. Second Commissioner Urie. Motion failed.

Commissioner Urie motioned to approve case number 96382 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96352. Second Commissioner Urie. Motion failed.

Commissioner Urie motioned to approve case number 96426 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96375 with a \$25.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96275. Second Commissioner Kramer.

Motion passed.

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

Commissioner Kramer motioned to approve case number 96403 with a \$20.00 per month payback. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve case number 96401 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96113 with a \$50.00 per month payback. Second Commissioner Urie. Motion passed.

In the Matter of FAIR

Commissioner Kramer attended the fair board meeting.

In the Matter of ZONING

Commissioner Urie attended the Planning and Zoning work session.

There being no further business, the Board recessed until 8:00 a.m., January 7, 2009, 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 JANUARY MEETING  
January 7, 2009, 8:00 a.m.

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

In the Matter of MEETING

Commissioner Urie attended the mobility meeting at Health and Welfare

In the Matter of MEETING

Commissioners Mikesell and Kramer attended the Leadership Idaho Agriculture meeting.

In the Matter of MEETING

Commissioner Mikesell met with Mary Brand.

There being no further business, the Board recessed until 8:00 a.m., January 8, 2009, 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 JANUARY MEETING  
January 8, 2009, 8:00 a.m.

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

In the Matter of CONSENT CALENDAR

Items include: status sheets, tax cancellation

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

Commissioner Kramer motioned to cancel tax in the amount of \$1,700.96 on parcel number RPT0001055011A. Second Commissioner Urie. Motion passed.

Commissioner Urie motioned to approve a hardship on parcel number RPT00010140070A. Second Commissioner Kramer. Motion failed.

Commissioner Kramer motioned to cancel tax in the amount of \$11.22 on parcel number PP000115630500T. Second Commissioner Urie. Motion passed.

Commissioner Kramer motioned to cancel tax in the amount of \$6.98 on parcel number SMPK020001400AA. Second Commissioner Urie. Motion passed.

In the Matter of PEST ABATEMENT

Commissioners Kramer motioned to appoint Tony Brand, four years; Greg Garretea, 3 years, Cliff Amundsen, 2 years; John Snelling, 4 years; and Teresa Strolberg, 2 years to the board. Second Commissioner Urie. Discussion. Commissioner Kramer stated this is geographically distributed well. Motion passed.

In the Matter of CONTRACT

Commissioner Kramer motioned to approve Extension Office contract with University of Idaho. Second Commissioner Urie. Motion passed.

In the Matter of CONTRACT

Commissioner Urie motioned to approve two year service contract with Integra for microfilm scanner. Second Commissioner Kramer. Motion passed.

In the Matter of GRANT

Commissioner Urie motioned to approve grant for federal funds for new counting machines. Second Commissioner Kramer. Motion passed.

In the Matter of BUDGET

Treasurer Debbie Kauffman gave an update on the tax collection progress. Teton County is the only county in the state that is below 50%. The numbers are encouraging.

In the Matter of MEETING

Commissioners met with Elaine Molognoni, Director of Human Resources.

In the Matter of SIRCOMM

Commissioner Mikesell attended the SIRCOMM board meeting in Jerome.

There being no further business, the Board recessed until 8:00 a.m., January 9, 2009, 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 JANUARY MEETING  
January 9, 2009, 8:00 a.m.

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

In the Matter of RESOLUTION

Commissioner Kramer motioned to adopt Resolution 2009-1 the Resolution is to transfer Twin Falls County Dare Foundation monies to Bill's place for drug and alcohol treatment. Second Commissioner Urie. Discussion. Commissioner Kramer this money was money give to Dare Foundation in 1998. It's been in an Edward Jones account and is being cleared up because the Sheriff who is managing this account and is moving on. The account is being transferred to Bill's Place for drug and alcohol treatment. Commissioner Mikesell I'm voting no on this. It's misuse of public funds and the process is wrong and I cannot support it. Commissioner Urie I think it is appropriate use for the funds and I confirm the Sheriff's opinion this is a proper place for it to go. Motion passed (Mikesell no).

RESOLUTION NO. 2009-1

WHEREAS, the Board of County Commissioners of Twin Falls County desires to provide support for ongoing drug and alcohol education and rehabilitation in Twin Falls County; and

WHEREAS, the Board believes that such ongoing support directly benefits the health and welfare of the County and its citizens both directly in the services provided, as well as preventing further costs to the courts and indigency expenses; and

WHEREAS, the Magic Valley DARE Foundation made a gift to Twin Falls County to support the Twin Falls County DARE program, which is now and has been for a number of years

non-operational; and

WHEREAS, the Board desires and believes it necessary to use those funds for the specific purpose for which they were given, to assist in drug and alcohol education and treatment; and

WHEREAS, Bill's Place is a non-profit transitional home for youth. The mission of Bill's Place is to empower youth with the necessary skills to transition to adulthood and independent living and to help them to a drug-free life; and

WHEREAS, the Board desires to provide Bill's Place with support to further their mission by dedicating the remaining DARE funds to Bill's Place for drug and alcohol education and treatment;

NOW, THEREFORE BE IT RESOLVED by the Board of Twin Falls County Commissioners that the Board dedicates Twin Falls County DARE Foundation money to Bill's Place for the specific use of drug and alcohol treatment and education.

DATED this 9 day of January, 2009.

TWIN FALLS COUNTY BOARD OF  
COMMISSIONERS

\_\_\_\_\_  
Tom Mikesell, Chairman

/s/ George Urie  
George Urie, Commissioner

/s/ Terry Ray Kramer  
Terry Ray Kramer, Commissioner

ATTEST:

/s/ Kristina Glascock  
Kristina Glascock, Clerk

In the Matter of HISTORICAL SOCIETY

Commissioners met with members of the Twin Falls County Historical Preservation Commission.

There being no further business, the Board recessed until 8:00 a.m., January 12, 2009, 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 JANUARY MEETING

January 12, 2009, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 9 January. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of OATHS OF OFFICE

Clerk Kristina Glascock administered the oath of Office to Tom Mikesell, Commissioner.

Commissioner Mikesell administered the oath of office to Terry Kramer, Commissioner.

Commissioner Mikesell administered the oath of office to Grant Loeb, Prosecuting Attorney.

Commissioner Mikesell administered the oath of office to Tom Carter, Sheriff.

In the Matter of COMMISSIONERS PROCEEDINGS

Commissioner Kramer motioned for George Urie to be Chairman of the Commission. Second Commissioner Mikesell. Motion passed.

Commissioner Urie motioned for Terry Kramer to be Vice Chairman of the Commission. Commissioner Mikesell. Motion passed.

In the Matter of WATER

Commissioner Kramer attended the American Falls Reservoir District meeting.

In the Matter of BUDGET

Commissioners received the fiscal year 2008-2009 audit from Ware and Associates.

In the Matter of JUVENILE

Commissioners met with John Hathaway, Health and Welfare.

In the Matter of MEETING

Commissioner Urie participated in the Industrial Litigation Panel conference call.

In the Matter of PARKS AND WATERWAYS

Commissioner Urie attended the Parks and Waterways board meeting.

There being no further business, the Board recessed until 8:00 a.m., January 13, 2009, 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 JANUARY MEETING  
January 13, 2009, 8:00 a.m.

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

In the Matter of INDIGENT

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

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

Commissioners returned to regular session at 9:33 a.m.

Commissioner Kramer motioned to approve case numbers 96376, 96370, 96371, and 96383. Second Commissioner Urie. Motion failed (Mikesell absent).

Commissioner Kramer motioned to approve case number 96384 with a \$25.00 per month payback. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 96093 with a \$25.00 per month payback. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 96314 with a \$25.00 per month payback. Second Commissioner Urie. Motion failed (Mikesell absent).

Commissioner Kramer motioned to approve case number 96395 with a \$250.00 per month payback. Second Commissioner Urie. Motion passed (Mikesell absent).

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

Commissioner Kramer motioned to approve case number 96364. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 96064. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 95997. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 96235. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 96443. Second Commissioner Urie. Motion failed (Mikesell absent).

Commissioner Kramer motioned to approve case number 96435. Second Commissioner Urie. Motion failed (Mikesell absent).

Commissioner Kramer motioned to approve case number 96109. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 96453 with a \$25.00 per month payback. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 96372. Second Commissioner Urie. Motion failed (Mikesell absent).

Commissioner Kramer motioned to approve case number 96363. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 96221. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 96295. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve cremation \$695.00 on case number 96445 with a \$25.00 per month payback. Second Commissioner Urie. Motion passed (Mikesell absent).

Commissioner Kramer motioned to approve case number 96374 with a \$25.00 per month payback. Second Commissioner Urie. Motion failed (Mikesell absent).

Commissioner Kramer motioned to approve case number 96390. Second Commissioner Urie. Motion failed (Mikesell absent).

#### In the Matter of CONSENT CALENDAR

Items include: status sheets, tax cancellations

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

Commissioner Kramer motioned to approve tax cancellation on RPK9041001002C upon recommendation of remaining taxes of \$960.10 and special assessments. The balance should be canceled. Second Commissioner Urie. Discussion. Commissioner Urie this is an exempt property but part of it is a rental. Motion passed (Mikesell absent).

Commissioner Kramer motioned to table hardship on parcel number RP10S17E282520A. Second

Commissioner Urie. Motion passed (Mikesell absent).

In the Matter of BUDGET

Commissioners considered December accounts payable in the amount of \$2,263,985.33.

Commissioner Kramer motioned to approve accounts payable. \$2,263,985.33. Second Commissioner Urie. Discussion. Commissioner Kramer it looks pretty good relative to the rest of the budget. Clerk Kristina Glascock everyone is looking good. Indigent is at 27.42 and it should be at 24. So it's just a little bit over. Motion passed (Mikesell absent).

In the Matter of CONTRACT

Commissioners considered a contract with Clean Streak.

Commissioner Kramer motioned to approve janitorial contract with Clean Streak for Assessor's Office for \$572.00 per month. Second Commissioner Urie. Discussion. Commissioner Kramer we are happy with the other work they are doing and this is an efficient use of County funds. Motion passed (Mikesell absent).

In the Matter of AMBULANCE

Commissioner Kramer attended the Quick Response Unit advisory meeting.

In the Matter of EMERGENCY SERVICES

Commissioner Kramer attended the LEPC meeting.

In the Matter of PARKS AND WATERWAYS

Commissioner Urie met with Rick Novacek, Parks and Waterways Director.

There being no further business, the Board recessed until 8:00 a.m., January 14, 2009, 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 JANUARY MEETING  
January 14, 2009, 8:00 a.m.

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

In the Matter of CONSENT CALENDAR

Items include: status sheets, tax cancellations

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

Commissioner Kramer motioned to approve tax cancellation for RP10S16E059810 for the sum of \$1,760.56. Second Commissioner Mikesell. Discussion. Commissioner Kramer this is for an overpayment. Motion passed.

#### In the Matter of PARKS

Commissioners considered a grant for the purchase of Murtaugh Lake property.

Mark Brunelle, Research and Development, the Murtaugh Lake property grant is to purchase the land for appraised price. We are requesting 80% of the purchase price from the State. We have been through public meetings and they have been positive.

Commissioner Mikesell as stated previously on many occasions I truly believe that the asking price for this property is outrageous and completely without merit with the conditions attached to it. I have not liked the idea of using tax payer dollars for this in any form. I will not be supportive of the application for this grant because I think its inappropriate use.

Commissioner Kramer motioned to approve grant as submitted. Second Commissioner Urie. Discussion. Commissioner Kramer I think what we need to do is see if this actually flies. If we can get the condition of not ever being able to doing anything with it or it has to go back to Milner. I think the property would be sold. The property without conditions would be very valuable. I'm supporting this but when the time comes I'm going to negotiate to have the conditions removed. Mr. Brunelle I agree with Commissioner Mikesell. I think if we have the money in hand it will be easier for us to negotiate. I have issues with it too. I think you can negotiate those things as you go. If it doesn't work out, we don't accept the grant. We can't pay more than appraised price. Commissioner Urie do you anticipate whoever values this grant when they look at this they might say it's worth \$50,000 and grant us that or do they go by our request. Mr. Brunelle they go by our request typically but they will review it. When they see the restriction there may be something that says that needs to be removed. Commissioner Urie I agree with Commissioner Mikesell that the restriction changes the value. Commissioner Mikesell I don't think that's true. If the State doesn't look at it close it may get by. I think this is a waste of Mark's time and the State's time evaluating the grant taking money away from a project that doesn't have restrictions. Commissioner Urie we need to protect and preserve the investment we have in there. As long as the actual purchase it will still be up to us in the end. Mr. Brunelle yes we will have to go through the steps. If they grant us the \$101,000 we can still pay 50 and give them back or how does that work. Mr. Brunelle the grant is for 80%. Commissioner Mikesell I think if we are not interested in buying that property at \$125,000 that we need to negotiate that change before we send it off. I think its inappropriate to ask the State to fund that property with the restrictions on it. I think we're not doing our job by not working more closely with them. We have other alternatives which is leasing the property. Motion passed (Mikesell no).

#### In the Matter of GRANTS

Commissioners considered a grant for the Rock Creek access road.

Mark Brunelle, Research and Development, the access road is pricy to say the least. We are looking at \$232,922 which is the estimate we got from Gordon Paving. They are looking at removing and

hauling off the existing asphalt, putting down 3 inch base, asphalt and concrete gutters. They were looking at the gutters to deter the water that goes down the hill. It's a little suspicious when you come off the top whether there is water issues there. If there is they are going to have to address it at that time. We also figured this when gas was \$4 a gallon. We hope we have cushion in case something goes wrong. Funds would come from the new road and bridge fund. They don't have a lot of money and only fund a few projects a year. We would be requesting \$174,692 and our match would be 25%. We have letters of support from agencies that use it.

Commissioner Mikesell motioned to approve Rock Creek Park access grant for paving. Second Commissioner Kramer. Motion passed.

#### In the Matter of GRANTS

Commissioners considered a grant to pave the Murtaugh Lake parking lot.

Mark Brunelle, Research and Development, we expanded the parking lot and have a good gravel base. We would like to pave it and stripe it so you have designated parking areas and drive lanes and it will increase capacity of the lot. Now it's designed for 32 units and two handicap. It's big enough for boats. This is a way to fix the dust in the air and make it a better all weather lot. It improves handicap parking. We'd like to get this one going and get it improved this year. The cost is \$66,307. Our share is \$13,261. Commissioner Urie it seemed like when I was reading this it should say boat trailer parking. Mr. Brunelle I have boat trailer parking grant. We changed it to boat trailers since we are using boat funds to do it.

Commissioner Kramer motioned to approve MLPG application and allow chairman to sign. Second Commissioner Mikesell. Motion passed.

#### In the Matter of INDIGENT

Commissioner Urie opened the meeting. This is not a public hearing it's an indigent hearing on case number 95808. Seeing that the appellant is not here to present any evidence that would affect this ruling that has been made.

Jennifer Gose-Eells, Chief Civil Deputy Prosecuting Attorney, I called over to the jail and spoke with Sgt. Thomas about a transport and I was told a transport had never been requested. He indicated if it had been requested he would have known about it. They only have two deputies on the floor and cannot accommodate a transport at this time.

Commissioner Mikesell we didn't get any new information and I'm not sure we need to make any ruling but stand by our previous denial. There was no information provided to me to change my mind about medical necessity of this procedure. I don't know that we need any action.

Commissioner Kramer I see no evidence that changes the decision based upon information presented. Since no new evidence has been presented I don't see how we can change the decision.

Commissioner Mikesell motioned the previous determination is upheld and the motion is denied to appeal. Second Commissioner Kramer. Discussion. Commissioner Kramer no new evidence is

presented. Motion passed.

In the Matter of MEETING

Commissioner Urie attended Rotary.

In the Matter of COMMISSIONERS PROCEEDINGS

Commissioners met in executive session.

There being no further business, the Board recessed until 8:00 a.m., January 15, 2009, 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 JANUARY MEETING  
January 15, 2009, 8:00 a.m.

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

In the Matter of CONSENT CALENDAR

Items include: status sheets, tax cancellations

Commissioner Kramer motioned to approve status sheet for Chief Deputy. Second Commissioner Mikesell. Commissioner Mikesell appointed position by the Sheriff and made on Monday. Motion passed.

Commissioner Mikesell motioned to cancel \$15.99 for RP09S15E303190A placed on Buhl Highway District parcel in error. Second Commissioner Urie. Discussion. Commissioner Mikesell this was a slip of the pencil by the Assessor's Office and this will remedy it. Motion passed (Kramer abstained).

Commissioner Kramer motioned to bring hardship RP10S17E282420A off the table for discussion. Second Commissioner Mikesell. Motion passed.

Commissioner Mikesell motioned to approve the hardship. Second Commissioner Kramer. Discussion. Commissioner Mikesell after close review of the application there is not adequate information to allow me to make a favorable vote. There seems to be income not accounted for and until we understand where those deposits came from I can't vote in favor. Motion failed.

In the Matter of ZONING

Commissioners considered the Destination Pointe Subdivision plat.

Laura Wilson, Planner, they have met all requirements and are approved by Planning and Zoning

Commission and are requesting your signatures for final plat. Commissioner Urie my questions have been answered but there were the letters of credit didn't match up but the way I understand it is the \$60,000 was put in for testing of the first phase. Ms. Wilson correct. The irrigation system is in but not pressurized it yet. So there is a letter of credit for that amount when the water is in this spring. Phase two is for the second phase which will be built. Commissioner Urie the other question was the pressurized irrigation. What struck me funny was on the first phase you had \$8,000 in gravity irrigation and 100 some for pressurized irrigation. On the second phase it flip flops. You got \$52,000 in the pressurized and \$200,000 in the gravity. Jake Skeem, EHM Engineers, there is a large irrigation lateral that borders phase 2. James Ray it's a 24 inch main which is quite spendy and two delivery lines on the north side of our property. It won't be open it'll be pipped.

Commissioner Mikesell motioned to allow the Chairman to sign final plat for Destination Pointe. Second Commissioner Kramer. Motion passed.

In the Matter of SURPLUS PROPERTY

Commissioners considered a Resolution declaring surplus property at the Parks Department.

Commissioner Kramer motioned to approve Resolution 2009-2 to dispose of surplus property that has been accumulating at the parks and weeds to be taken to Hunt Brothers for auction. Second Commissioner Mikesell. Commissioner Kramer this is part of cleaning up the yard out there. It has not been used and the excess vehicle its time for it to move down the road. Motion passed.

RESOLUTION NO. 2009-2

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 items listed in Exhibit "A" 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.

DATED this 15 day of January, 2009.

TWIN FALLS COUNTY BOARD OF  
COMMISSIONERS

/s/ George Urie  
George Urie, Chairman

/s/ Terry Ray Kramer  
Terry Ray Kramer, Commissioner

/s/ Tom Mikesell

Tom Mikesell, Commissioner

ATTEST:

/s/ Kristina Glascock

Kristina Glascock, Clerk

In the Matter of GRANT

Commissioners considered a Juvenile Justice EULD Grant.

Mark Brunelle, Research and Development, this is a straight forward grant that provides 198 hours of overtime to help with underage drinking. It will also provide \$550 for a member of the Sheriff's office to attend a two day conference in Boise.

Commissioner Mikesell motioned to accept application for juvenile justice grant. Second Commissioner Kramer. Motion passed.

In the Matter of RECORDS DESTRUCTION

Commissioners considered a contract with Western Records Destruction.

Commissioner Kramer motioned to table until we get a letter back from legal. Second Commissioner Mikesell. Motion passed.

In the Matter of COMMUNITY ACTION

Commissioner Mikesell attended the South Central Community Action Partnership board meeting.

In the Matter of MEETING

Commissioner Kramer attended Buhl Rotary.

In the Matter of MEETING

Commissioners held an elected officials meeting.

In the Matter of SAFE HOUSE

Commissioners attended the open house at Safe House #2.

In the Matter of HEALTH INITIATIVES TRUST

Commissioner Mikesell attended the Health Initiatives Trust board meeting.

There being no further business, the Board recessed until 8:00 a.m., January 16, 2009, 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 JANUARY MEETING

January 16, 2009, 8:00 a.m.

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

In the Matter of MEETING

Commissioners attended the Court Security meeting.

In the Matter of ASSESSOR

Commissioners met with Gerald Bowden, Assessor, regarding moving expenses.

In the Matter of MEETING

Commissioners met with John Hathaway, Health and Welfare.

There being no further business, the Board recessed until 8:00 a.m., January 20, 2009, 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 JANUARY MEETING  
January 20, 2009, 8:00 a.m.

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

In the Matter of INDIGENT

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

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

Commissioners returned to regular session at 9:37 a.m.

Commissioner Kramer motioned to approve case numbers 96379, 96385, 96388, 96391, 93692, 96294, and 96451. Second Commissioner Mikesell. Motion failed.

Commissioner Mikesell motioned to approve \$590 one month rent on case number 96463 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96447 with a \$50.00 per month payback. Second Commissioner Mikesell. Motion passed.

Commissioner Mikesell motioned to approve case number 96229 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 95746. Second Commissioner Mikesell. Motion passed.

Commissioner Mikesell motioned to approve case number 96398. Second Commissioner Kramer. Motion failed.

Commissioner Kramer motioned to approve case number 96071. Second Commissioner Mikesell. Motion passed.

Commissioner Mikesell motioned to approve case number 96453. Second Commissioner Kramer. Motion passed.

Commissioner Mikesell motioned to approve case number 96114. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96339. Second Commissioner Mikesell. Motion passed.

Commissioner Mikesell motioned to approve case number 96452 with a \$25.00 per month payback. Second Commissioner Kramer. Motion failed.

Commissioner Kramer motioned to approve case number 96152. Second Commissioner Mikesell. Motion passed.

Commissioner Mikesell motioned to approve case number 96283 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve subordination of lien on case number 95600. Second Commissioner Mikesell. Motion passed.

Commissioner Mikesell motioned to approve case number 96363. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96099. Second Commissioner Mikesell. Motion passed.

Commissioner Mikesell motioned to approve case number 96069. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96403. Second Commissioner Mikesell. Motion passed.

Commissioner Mikesell motioned to approve case number 96448 with a \$100.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96454 with a \$50.00 per month payback. Second Commissioner Mikesell. Motion passed.

Commissioner Mikesell motioned to approve case number 96455 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Mikesell motioned to approve case number 96460 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

#### In the Matter of CONSENT CALENDAR

Items include: status reports, tax cancellation, alcohol license

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

Commissioner Kramer motioned to approve Cosmic Jolt's alcohol license. Second Commissioner Urie. Discussion. It's a catering license for the Buhl Chamber Banquet. Motion passed.

Commissioner Mikesell motioned to approve tax cancellation \$249.54 RPT5465001003AA for Twin Falls County property. Second Commissioner Kramer. Motion passed.

Commissioner Mikesell motioned to cancel late charges on parcel RP10S18E090070A for \$15.27, RP10S18E090020A for \$3.51, RP10S18E090080A for \$3.51. Second Commissioner Kramer. Motion passed.

#### In the Matter of LAND DEVELOPMENT

Commissioner Mikesell motioned to approve Findings of Fact for conveyance plat for Reed Subdivision. Second Commissioner Kramer. Motion passed.

#### In the Matter of LAND DEVELOPMENT

Commissioner Mikesell motioned to approve Findings of Fact for Colbert Farms. Second Commissioner Kramer. Motion passed.

#### In the Matter of HEALTH DISTRICT

Commissioner Kramer motioned to approve appointment of Angenie McCleary from Blaine County. Second Commissioner Mikesell. Motion passed.

#### In the Matter of HISTORICAL SOCIETY

Commissioner Mikesell motioned to approve Historical Fund MOU and allow Chairman to sign.

Second Commissioner Kramer. Discussion. Commissioner Kramer this is the annual continuing project. Motion passed.

In the Matter of ORDINANCE

Commissioners held a public hearing on a proposed ordinance for volunteer advisory boards.

No public present to testify.

Commissioner Urie closed the hearing.

Commissioner Mikesell motioned to approve Ordinance No. 213. Second Commissioner Urie. Discussion. Commissioner Kramer this is a good idea to get basic parameters set for our advisory boards. Commissioner Mikesell this ordinance has been floating around prior to your election two years ago and it's been and out lots of changes. I'm glad to see it done. Commissioner Urie it creates consistency for all boards and defines terms and requirements. Motion passed.

**ORDINANCE NO. 213**

AN ORDINANCE OF THE COUNTY OF TWIN FALLS, IDAHO, EXPANDING TITLE 1 OF THE TWIN FALLS COUNTY CODE, BY ADOPTING TWIN FALLS COUNTY CODE TITLE 1, CHAPTER 9, WHICH ESTABLISHES THE REQUIREMENTS FOR ADVISORY BOARDS WITHIN TWIN FALLS COUNTY, IDAHO; REPEALING ALL CODE SECTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; ESTABLISHING SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS Twin Falls County has various volunteer boards which offer input for various departments; and

WHEREAS, Twin Falls County appoints members of the public to volunteer their time and serve as board members; and

WHEREAS, at this time, the Twin Falls County Board of Commissioners, upon the advice of the Idaho Counties Risk Management Program, hereby determines the necessity for a written policy regarding those advisory boards not specifically controlled by State Code or County Ordinance;

NOW THEREFORE BE IT ORDAINED by the Twin Falls County Board of Commissioners that all members who serve on Twin Falls County Boards be subject to Title 1, Chapter 9, to be added to the Twin Falls County Code as follows:

**1-9-1: AUTHORIZATION:**

- A. Pursuant to Idaho Code §31-828, the Board of County Commissioners hereby establishes such advisory boards as are deemed necessary to ensure that a cross section of the county is represented, and the Commissioners duly advised in matters

necessary to the full discharge of the duties of the chief executive authority of county government.

- B. Members of advisory boards shall serve without salary or wage in an advisory capacity at the will and pleasure of the Board of County Commissioners in matters relating of concern to Twin Falls County.
- C. Nothing in this chapter shall conflict with advisory boards specifically controlled by Idaho Code.
- D. This chapter shall not apply to advisory boards whose regulations are stated elsewhere in this Code.

1-9-2: **TERMS OF OFFICE:** All advisory boards shall be comprised as follows:

- A. The Board of County Commissioners shall appoint and confirm the members to the advisory boards. Advisory boards shall consist of up to eleven (11) voting members. A department head selected by the Commissioners as the most appropriate for each particular advisory board shall act as an ex officio, nonvoting member.
- B. Members of each advisory board shall be selected without respect to sex, age, profession or political affiliation and shall represent a broad cross section of the County. Members should have expertise or demonstrate an interest in the improvement, development, maintenance and/or management of the particular interest of the designated board.
- C. Initial appointments to new boards made by the Board of County Commissioners shall be: three (3) members for one year terms, three (3) members for two (2) year terms, and three (3) members for three (3) year terms. These initial appointments shall be considered one term.
  - 1. There shall be no honorary nor lifetime members of any board.
- D. The Board of County Commissioners shall make all subsequent appointments for a term of three (3) years. Terms shall expire on December 31 of the expiring year.
- E. When a member's term expires, the Board of County Commissioners must either reappoint the member or appoint a new member to fill the vacancy. No member may serve more than two (2) consecutive terms on one advisory board.
  - 1. Members of the Board of Community Guardians are specifically exempt from these term limits.
- F. A member appointed to fill the position of a vacating member during a term will fulfill the remaining months of the term. This shall not constitute a term.
- G. Members of an advisory board must reside in Twin Falls County.
  - 1. Non-county residents may serve on an advisory board and be appointed by the Board of County Commissioners as an ex-officio, nonvoting member.
- H. No person shall be appointed to an advisory board where a related person is employed within the County department or serves on the same board. For the purpose of this section, "related" shall mean any person related by blood or marriage within the second degree.
- I. Members shall relinquish all voting rights upon the expiration of their terms unless reappointed to the Board.
- J. Members are not allowed to serve on multiple boards.

- 1-9-3: **APPOINTMENT:**
- A. Recommendations by the appropriate department head may be made to the Board of County Commissioners for initial and all subsequent appointments by December 1 of the expiring year. Applicants may also apply for appointment upon public notice of vacancy.
  - B. The Board of County Commissioners shall appoint new board members by majority vote by December 31 of the expiring year of the board member whose term is up.
  - C. The Board of County Commissioners can, by majority vote, reorganize or dissolve any advisory board for any reason.

- 1-9-4: **ORGANIZATION:**
- A. Officers: Each advisory board shall elect a chairman and a vice chairman from among the committee's members. The officers shall be selected at the first meeting in January and serve for a one-year term.
    - 1. Chairman: The chairman shall preside at all meetings, designate subcommittee members and duties, call special meetings and be an ex officio member of all subcommittees.
    - 2. Vice Chairman: The vice chairman shall perform all duties of the chairman in the chairman's absence.
    - 3. Chairman Pro Tempore: In the absence of the chairman and vice chairman, the chairman shall elect a chairman pro tempore to perform the duties of the chairman.
  - B. Bylaws: Advisory boards may enact such bylaws as are deemed necessary by the board to conduct business and that are not contrary to this chapter. All bylaws must be in writing and adopted by the Board of County Commissioners. All bylaws must be made available for public inspection.

- 1-9-5 **POWERS:**
- A. Advisory Boards shall provide recommendations and advice to the Board of County Commissioners and the ex officio department head. Boards shall serve an advisory function only and have no power over the final decision of the Board of County Commissioners or the ex officio department head that serves as an ex officio member of the board.
    - 1. This section in no way is intended to effect the statutory authority granted to the Board of Community Guardians.

- 1-9-6 **DISQUALIFICATION:**
- A. Any advisory board, unless stated explicitly elsewhere in this Code, may by majority vote, recommend removal of a member to the Board of County Commissioners, for any reason, including, but not limited to:
    - 1. Excessive conflicts of interest or continued conflicts of interest which interfere with the member's ability to perform his duties as interpreted by the board.
    - 2. False or misrepresenting statements by a member at the time of application and appointment.

- B. In the event that a member of the committee does not attend three (3) consecutive meetings, that person must submit an explanation of the absences to the committee and the Board of County Commissioners. Upon examinations of the explanation by the advisory board may recommend, or the Board of County Commissioners may call for, the immediate resignation of that member for a high or inexcusable absentee rate.
- C. Advisory board members serve at the will and pleasure of the Board of County Commissioners and any member of any board may be removed for any reason by a vote by a majority of the County Commission.

1-9-7 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.

1-9-8 Effective Date:

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

DATED this 20 day of January, 2009.

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 CONTRACT

Commissioner Kramer motioned to take from table Western Records Destruction Agreement. Second Commissioner Mikesell. Motion passed.

Commissioner Kramer motioned to approve the agreement with Western Records Destruction for our Service Center under the direction of Jacie Urie. Second Commissioner Mikesell. Discussion.

Commissioner Kramer this has gone through legal and they don't have a problem with it as long as the records are destroyed pursuant to Idaho Code. Commissioner Mikesell this only allows the contract to be in place but not any destruction of records. That must be done by Resolution. Motion passed.

In the Matter of ZONING

Commissioner Mikesell attended the Planning and Zoning work session.

In the Matter of SOIL CONSERVATION DISTRICT

Commissioner Kramer attended the Soil Conservation District meeting.

In the Matter of PEST ABATEMENT

Commissioners met with the Pest Abatement board.

There being no further business, the Board recessed until 8:00 a.m., January 21, 2009, 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 JANUARY MEETING  
January 21, 2009, 8:00 a.m.

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

In the Matter of CONSENT CALENDAR

Items include: status sheets

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

In the Matter of LAND DEVELOPMENT

Commissioners considered the Mariposa Estates Subdivision plat.

Rick Dunn, Planning and Zoning Administrator, this is a final plat approval. They met all conditions of the ordinance. In our mind this is a complete project. The surveyor is here to represent them.

John Root the roads will be built to Highway District standards and will be taken into their system upon completion.

Commissioner Mikesell tabled until further information can be gathered. Second Commissioner Urie. Motion passed (Kramer absent).

In the Matter of INDIGENT

Commissioner Mikesell motioned to accept meds on case number 96486 at the cost of \$15.00. Second Commissioner Urie. Motion passed (Kramer absent).

Commissioner Mikesell motioned to approve case number 96022 for additional services. Second Commissioner Urie. Motion passed (Kramer absent).

In the Matter of MEETING

Commissioner Kramer attended the Southern Idaho Tourism meeting.

In the Matter of MEETING

Commissioners attended the District IV Elected Officials meeting in Jerome.

There being no further business, the Board recessed until 8:00 a.m., January 22, 2009, 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 JANUARY MEETING  
January 22, 2009, 8:00 a.m.

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

In the Matter of CONSENT CALENDAR

Items include: status sheets

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

In the Matter of LAND DEVELOPMENT

Commissioner Mikesell motioned to bring the Mariposa Subdivision plat back to the table. Second Commissioner Urie. Motion passed (Kramer absent).

Bill Crafton, Planning and Zoning Director, we amended the report that was sent to you. Under the highway portion the developer changed them from private to public. The Highway District was made aware in 2008 that this would take place and accepted it. Upon recordation this plat dedicates the roads to the Highway District. This does not place any obligation to accept but they do indicate they will do so.

Commissioner Mikesell I would ask you Mr. Chairman to look at the letter from the Highway District. When we make changes we need to make sure all parties are aware of it so they can participate in the conversation. Planning and Zoning Commission had no objection to that change.

Changing roads from public to private has huge implications. Commissioner Mikesell the public needs to have the right to voice their opinion to meet due process. Mr. Crafton once the plat is filed and the Highway District desires to take them over we have no say in the process. Commissioner Mikesell the process is my concern. If the plat or application has changed enough we believe it has to be heard again, I think there is confusion here about communication. Commissioner Urie the problem I have is here's this cover letter you sent over with the documents and it says right on there all this stuff was done. Then it isn't the same thing. Something is going wrong here. Mr. Dunn based on our conversations we are going to develop a checklist to see what you are actually looking for. Commissioner Urie the checklist would be great but that's not what's in the packet.

Commissioner Mikesell motioned to approve final plat. Second Commissioner Urie. Motion passed (Kramer absent).

In the Matter of COMMISSIONERS PROCEEDINGS

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

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

Commissioners returned to regular session at 4:44 p.m.

In the Matter of INDIGENT

Commissioners motioned to release lien for three days and refile it in order for them to refinance home on case number 95600. Second Commissioner Urie. Motion passed.

In the Matter of MEETING

Commissioner Kramer attended Buhl Rotary.

There being no further business, the Board recessed until 8:00 a.m., January 23, 2009, 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 JANUARY MEETING  
January 23, 2009, 8:00 a.m.

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

In the Matter of COMMISSIONERS PROCEEDINGS

Commissioner Mikesell motioned to go into executive session pursuant to Idaho Code §67-2345F.

Second Commissioner Kramer. Motion passed after roll call vote (Kramer yes, Mikesell yes, Urie yes).

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

Commissioners returned to regular session at 4:58 p.m.

There being no further business, the Board recessed until 8:00 a.m., January 26, 2009, 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 JANUARY MEETING  
January 26, 2009, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 23 January. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer, Commissioner George Urie, and Clerk Kristina Glascock. The following proceedings were held to wit:

In the Matter of BUILDING

Commissioner Mikesell motioned to allow Chairman to sign letter of authorization for Qwest to value our phone service. Second Commissioner Kramer. Discussion. Commissioner Kramer we are going to consolidate into one long distance carrier instead of the three we have. Motion passed.

In the Matter of CONSENT CALENDAR

Items include: tax cancellation, status sheets

Commissioner Mikesell motioned to reconsider hardship. Motion died for lack of second.

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

In the Matter of FEE INCREASE

Commissioners held a public hearing on increasing fees for Planning and Zoning and Community Service Center.

Commissioner Urie opened the public hearing.

Rick Dunn, Planning and Zoning Administrator, this is a fee establishment. On the one and two family dwellings we currently don't charge any money up front for plan review. What we have had happen is folks would go through the whole process then not go through with the project. We have spent lots of time and money to review the plans and then not receive income for it. The fee will be credited back when they move forward. If they chose not to go forward, we keep the deposit. It's

the same for the other items as well. This way the citizens of the County are not paying for one person's specific item. On the commercial, it is in addition to the building permit fee.

Jacie Urie, Community Service Center, these are new fees for our adult license. The fees are based off of state reimbursement rates. The life skills rate are based off speaking with other providers in the community and what they charge.

Commissioner Kramer this is venturing into new territory for us. This establishes the baseline for the fees.

Commissioner Urie closed the public hearing.

Commissioner Kramer motioned to adopt Resolution 2009-3 dealing with fees. Second Commissioner Mikesell. Discussion. Commissioner Kramer it was explained to us and is clear. Motion passed.

### RESOLUTION 2009-3

WHEREAS, pursuant to Idaho Code §31-870 a Board of County Commissioners may impose and collect fees for those services provided by the County which would otherwise be funded by ad valorem tax revenues and the fees collected pursuant thereto shall be reasonably related to, but shall not exceed the actual cost of the service being rendered; and

WHEREAS, the proposed fee increase(s) are required to offset the costs associated with providing the service(s); and

WHEREAS, the Board of County Commissioners held a public hearing on January 26, 2009, as published in the *Times News* on January 5, 2009, and January 19, 2009; and

NOW, THEREFORE, BE IT RESOLVED by the Twin Falls County Board of Commissioners that the following fees be adopted:

For Planning and Zoning--

	Current fee:	Proposed Increase	Total new fee
<b>Non-refundable building permit deposit fee for:</b>			
Single- and two-family dwelling	\$0.00	\$250.00	\$250.00
Accessory building or detached garage	\$0.00	\$100.00	\$100.00

For residential and accessory building or detached garage permits, a non-refundable deposit fee shall be paid to the building department upon the submittal of an application, and will be applied toward the building permit fee when the permit is purchased.

**Non-refundable plan review fee for:**

Commercial	\$0.00	65% of permit fee	65% of permit fee
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For commercial building permits, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fee shall be sixty-five (65) percent of the estimated building permit fee and is in addition to the building permit fee and refundable deposit.

Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at a rate based on the fee structure set forth in Table 1-A of the 1997 Uniform Building Code as adopted by Resolution 2008-6.

**Zoning application fee for:**

Wind-turbine fifty (50) feet and less	\$0.00	\$540.00	\$540.00
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Zoning application fees are non-refundable.

For Community Service Center--

	Current Fee:	Proposed Increase	New fee:
<b>Drug and Alcohol Treatment</b>			
Drug/Alcohol Assessment	\$0.00	+\$157.50	\$157.50
D/A Group	\$0.00	+\$22.50 per hour	\$22.50 per hour
D/A Individual	\$0.00	+\$45.00 per hour	\$45.00 per hour
D/A Family Therapy	\$0.00	+\$54.00 per hour	\$54.00 per hour
<b>Drug Testing</b>			
Urine Analysis	\$0.00	+\$13.50 per test	\$13.50 per test
Breathalyzer	\$0.00	+\$4.00 per test	\$4.00 per test
80 hour Alcohol test	\$0.00	+\$30.00 collection & lab	\$30.00 collection & lab
Lab Confirmation	\$0.00	+\$10.00 per item	\$10.00 per item
Hair test	\$0.00	+\$60.00 per test	\$60.00 per test
<b>Recovery Support Services</b>			
Case Management	\$0.00	+\$45.00 per hour	\$45.00 per hour
Family, martial, and life skills education groups	\$0.00	+\$15.00 per hour	\$15.00 per hour
Transportation	\$0.00	+\$1.11 per mile + fee	\$1.11 per mile + fee

Pick up fee	\$0.00	+\$2.89	\$2.89
Drop off fee	\$0.00	+\$2.89	\$2.89

DATED this 26 day of January, 2009.

TWIN FALLS COUNTY BOARD OF  
COMMISSIONERS

/s/ George Urie  
George Urie, Chairman

/s/ Terry Ray Kramer  
Terry Ray Kramer, Commissioner

/s/ Tom Mikesell  
Tom Mikesell, Commissioner

ATTEST:

/s/ Kristina Glascock  
Kristina Glascock, Clerk

In the Matter of RECORDS DESTRUCTION

Commissioners considered a Resolution authorizing destruction of Records for County Assistance.

Commissioner Kramer motioned to adopt Resolution 2009-4 for records destruction for indigent services. Second Commissioner Mikesell. Discussion. Commissioner Kramer these are 2003 records that are able to be destroyed by state law. Commissioner Mikesell research was done to ensure we have followed state law to destroy these. Motion passed.

RESOLUTION NO. 2009-4

A RESOLUTION ORDERING CERTAIN RECORDS  
TO BE DESTROYED

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Twin Falls County Commissioners that the inactive indigent files including medical (specifically denied, medicaid approved and withdrawn) and non-medical files that are closed and/or paid in full dated 2003 are hereby order destroyed.

DATED this 26 day of January, 2009.

TWIN FALLS COUNTY BOARD OF  
COMMISSIONERS

/s/ George Urie  
George Urie, Chairman

/s/ Terry Ray Kramer  
Terry Ray Kramer, Commissioner

/s/ Tom Mikesell  
Tom Mikesell, Commissioner

ATTEST:

/s/ Kristina Glascock  
Kristina Glascock, Clerk

In the Matter of TAXES–BOARD OF EQUALIZATION

Commissioner Mikesell motioned to leave the Twin Falls County Board of County Commissioners and reconvene as the Twin Falls Board of Equalization. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve the Property Tax Exemption short forms as presented for religious and charitable organizations. Second Commissioner Mikesell. Discussion. Commissioner Kramer I've reviewed these and find them to be in order. Commissioner Mikesell I reviewed them also to ensure they meet the requirements of state law. Motion passed.

**Parcel number SRT18070000660A**

Shane Parkinson, Appellant, on this property tax as far as the land itself it looks like they were trying to assess the land separately. They came out at two different times in fact. I purchased the building and property at the same time. The lots were assessed at \$42,000 and they were selling for around \$33,000. I have comparables for land values that show they were selling. Overall I think they assessed it \$20,000 higher than it has been. I currently have the home on the market for \$110,000 and it isn't selling.

Gerald Bowden, Assessor, we shoot for 100% of market value. By Idaho Code we can be within 90 to 110% range. We get a hold of as many sales we can get a hold of. We also send our sales verification letters. We study sales and that is how we base our values.

John Knapple, Assessor' Office, you have in front of you my work up on the appeal hearing. Mr. Parkinson's property is located at 270 Maurice Street. The parcel number is RPT18070000660A. The property address is 592 Cobra Court. The class of the house is average built in 2007. It's 1,097 square feet. It's three bedroom, two bath, two car garage. The actually land value cannot be appeal at this point. It would have had to been appealed at your first time in July. Mr. Parkinson received what's called a occupancy. On that occupancy its just the value of the house he received the occupancy on. At this point, it's the only thing that can be under appeal. My summary only deals with the actual value of the structure. The cost approach I have was \$88,759. My comparable sales approach is telling me the value of the improvements should have been \$95,400 for 2008. The next page is an aerial map that shows the property boundaries. The property in question is highlighted in red. It's off Grandview Drive and the golf course is off the east side of the road. There is a photo ob the subject and a diagram. Page six and seven are our property record card that comes out of our computer based program for calculating value. This value here is as of 2008. That is the value as of January 1, 2008. Until we send out assessment notices in May that worksheet value is just a preliminary but the value we are looking at today is under the 2008 heading. The next four pages are the crystal report. It breaks down the values again. The values are changing and it shows the values 2009. We did not actually physically inspect the interior of this home. We had an appointment and the owner did not show up for the inspection. The appraiser measured the outside of the house but the inside was done based on conversation with the owner or just from looking at the other homes in the same subdivision and estimating the interior. It's just a basic house. Our cost approach is totally based off the sales from our sales file. Looking at those trying to figure out what the market says a brand new house for 2008 would have been worth. We modified our cost tables to get to those values. I feel the \$88,000 is pretty accurate compared to all the other homes we have out there that are 1,097 feet. The seven sales are from the subdivision where this property is located. All the sales are from 10-1-07 through 03-01-08. This comparable sales approach is based off of price per square foot. We've seen a lot of price per square foot comparables come from different tax payers this year and the year before. This one we have to assume all the sales in the study are comparable to the subject. When we come up with a price per square foot we are as close to the subject as we can get. They are all in the same subdivision and the sheet shows you where they are. The remaining sheets are pictures of the comparable sales and diagrams. If you look at page 12 again our sales prices per square foot range from \$82 to \$88. The two sales here that are the closest to the subject are 6 and 7 and they are \$88 a square foot. Sales we are supposed to use by law are from October 2007 through September 2007 and then time adjust the sales to January 1, 2008. Even if there was a depreciation going on, from that ninth month of 2008 until January 1 we would have had to have taken that into account. My taking two sales 6 and 7 put these two sales right in exactly where that January 1, 2008, date would be. The value for 2009 will go down. But for 2008 the value is where it needs to be in comparison to the other properties.

Mr. Bowden homes that we have studied are all recently newly constructed homes in that area. I noticed the two comparisons the tax payer brought are older homes. One was built in 1972 and the other in 1983.

Mr. Parkinson the time they were taxing on the bare land itself I did not own them. They are all 3 bedroom and 2 bath in that neighborhood they are not. There are two bedrooms and a four bedroom.

Mr. Knapple in the seven sales, one is 2 bedroom but the rest are 3 bedroom 2 bath. Mr. Bowden in that subdivision for 2009 year we are watching the sales of land and improvements very carefully. In this subdivision we are reducing the land for 2009. But the 2008 figure is what is reflected in the original value.

Mr. Parkinson I paid a little under \$117,000 for both land and building.

Commissioner Mikesell motioned to uphold the Assessor's valuation of this parcel. Second Commissioner Kramer. Discussion. Commissioner Mikesell the property was purchased for about \$117,000 and that's within our range to assess property. These are January 1, 2008, numbers. We all know there have been changes since then but by law we are required to assess the property as of January 1, 2008. Commissioner Kramer I agree it's within the 10% up or down. The median is about 117 and that gives us leeway on each side. Motion passed.

Commissioner Mikesell motioned to leave Twin Falls County BOE and reopen as the Twin Falls County Board of County Commissioners. Second Commissioner Kramer. Motion passed.

#### In the Matter of BUDGET

Commissioners received the quarterly statement from Clerk Kristina Glascock per Idaho Code. Revenue is holding although Planning and Zoning and recording fees are down.

#### In the Matter of COMMISSIONERS PROCEEDINGS

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

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

Commissioners returned to regular session at 11:58 a.m.

#### In the Matter of COMMISSIONERS PROCEEDINGS

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

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

Commissioners returned to regular session at 3:42 p.m.

#### In the Matter of ZONING

Commissioners met with Rick Dunn, Planning and Zoning Administrator.

In the Matter of MEETING

Commissioners Urie and Kramer attended Drug Court graduation.

There being no further business, the Board recessed until 8:00 a.m., January 27, 2009, 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 JANUARY MEETING  
January 27, 2009, 8:00 a.m.

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

In the Matter of INDIGENT

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

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

Commissioners returned to regular session at 9:48 a.m.

Commissioner Kramer motioned to approve case numbers 96367, 96396, 96399, 96404, 96433 and 96469. Second Commissioner Mikesell. Motion failed.

Commissioner Mikesell motioned to approve case number 96422 with valuation for payment in six months. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve medical portion on case number 96410 with a \$75.00 per month payback. Second Commissioner Mikesell. Motion passed.

Commissioner Kramer motioned to approve case number 96482 with a \$50.00 per month payback. Second Commissioner Mikesell. Motion passed.

Commissioner Mikesell motioned to approve case number 96476 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to suspend payment for six months on case number 94768. Second Commissioner Mikesell. Motion passed.

Commissioner Kramer motioned to approve refinance and signing of consensual lien on case number 95747. Second Commissioner Urie. Motion passed.

Commissioner Mikesell motioned to approve \$600.00 rent on case number 96466 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Mikesell motioned to approve \$500.00 rent on case number 96477 with a \$50.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96366. Second Commissioner Mikesell. Motion passed.

Commissioner Mikesell motioned to approve case number 96099. Second Commissioner Urie. Motion passed.

Commissioner Kramer motioned to approve case number 96474 with a \$25.00 per month payback. Second Commissioner Mikesell. Motion passed.

Commissioner Mikesell motioned to approve MRI only on case number 96480 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Mikesell motioned to approve case number 96424 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96427 with a \$50.00 per month payback. Second Commissioner Mikesell. Motion passed.

Commissioner Mikesell motioned to approve case number 96414. Second Commissioner Kramer. Motion failed.

Commissioner Kramer motioned to approve \$650.00 rent on case number 96478 with a \$50.00 per month payback. Second Commissioner Mikesell. Motion passed.

Commissioner Mikesell motioned to approve case number 96486. Second Commissioner Kramer. Motion passed.

Commissioner Mikesell motioned to approve case number 96109. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve case number 96264 with a \$50.00 per month payback. Second Commissioner Mikesell. Motion passed.

Commissioner Mikesell motioned to approve case number 96328 with a \$50.00 per month payback. Second Commissioner Kramer. Motion passed.

In the Matter of AMENDED AGENDA

Commissioner Mikesell motioned to amend the agenda to allow a contract on an emergency basis for fire suppression system as Juvenile Detention. Second Commissioner Kramer. Motion passed.

Commissioner Mikesell motioned to accept the contract as written at a cost of \$2,800. Second Commissioner Kramer. Motion passed.

In the Matter of MEETING

Commissioner Kramer attended a RC&D meeting.

In the Matter of MEETING

Commissioners met with Dr. McClusky and John Sexton regarding Mustard Tree Clinic.

In the Matter of MEETING

Commissioners met with Gerald Tews and Roger Blass regarding a water issue.

There being no further business, the Board recessed until 8:00 a.m., January 28, 2009, 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 JANUARY MEETING  
January 28, 2009, 8:00 a.m.

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

In the Matter of CONSENT CALENDAR

Items include: letter of support for grant, tax cancellation

Commissioner Mikesell motioned to sign letter of support for Gordon to clean up Washington Street. Second Commissioner Kramer. Discussion. That property was owned by the County for many years. It was purchased by a private individual who is working diligently to clean it up and we will work with him. Motion passed (Urie absent).

Commissioner Mikesell motioned to approve the tax cancellation of \$102.70 to RPT2481002028BA. Second Commissioner Kramer. Discussion. Commissioner Mikesell the taxes were paid on time. Motion passed (Urie absent).

In the Matter of CONTRACT

Commissioner Mikesell motioned to sign the Autoclear annual maintenance platinum agreement for the Court Building. Second Commissioner Kramer. Discussion. Commissioner Mikesell this is the

xray machine to keep dangerous things out of the courtroom. Commissioner Kramer we have the platinum agreement to avoid the \$2,400 charge to get them in the door. Motion passed (Urie absent).

In the Matter of CONTRACT

Commissioner Mikesell motioned to allow the Vice Chairman to sign the ICE contract with Immigrations Custom Enforcement and the Juvenile Detention Center. Second Commissioner Kramer. Discussion. Commissioner Kramer this actually raises it to \$150 per diem for our people who are in there. Motion passed (Urie absent).

In the Matter of RECORDS DESTRUCTION

Commissioner Mikesell motioned to approve Resolution No. 2009-5 destruction of records for the Prosecutor's Office. Second Commissioner Kramer. Motion passed (Urie absent).

**RESOLUTION NO. 2009-5**

WHEREAS, the Twin Falls County Prosecutor's Office has files that regularly need to be destroyed; and

WHEREAS, Idaho Code § 31-871 governs the destruction of county records and classifies records as permanent, semi-permanent, and temporary, and further directs the classification of records not specifically listed in that code section; and

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

NOW, THEREFORE, BE IT RESOLVED by the Twin Falls County Board of Commissioners that the following Prosecutor's Office records are classified in the following manner and may be destroyed after being retained for time necessary as outlined below:

**RECORDS**

- E-Mails - Temporary; may be destroyed after two (2) years.
- Employment Application Records - Temporary; may be destroyed after two (2) years.

**CIVIL RECORDS**

- Civil Cases - Permanent; may be destroyed after ten (10) years.
- Correspondence - Semi-permanent; may be destroyed after five (5) years.
- Designated Examiner Reports - Temporary; may be destroyed after two (2) years.

**CRIMINAL RECORDS**

- Misdemeanor Cases - Temporary; may be destroyed after two (2) years.
- Juvenile Cases - Temporary; may be destroyed after two (2) years.
- Traffic Cases - Temporary; may be destroyed two (2) years after judgement is imposed.
- Declined Cases - Temporary; may be destroyed after two (2) years.
- Investigator Records - Temporary; may be destroyed after two (2) years.

Duplicate copies are not the official public record and may be destroyed without a requirement to be saved.

BE IT FURTHER RESOLVED that this is a standing resolution and no further resolution of the Board shall be necessary to destroy Prosecutor's Office records that are classified in the above manner and retained for the specified amount of time.

DATED this 28th day of January, 2009.

TWIN FALLS COUNTY BOARD OF  
COMMISSIONERS

/s/ George Urie  
George Urie, Chairman

/s/ Terry Ray Kramer  
Terry Ray Kramer, Commissioner

/s/ Tom Mikesell  
Tom Mikesell, Commissioner

ATTEST:

/s/ Kristina Glascock  
Kristina Glascock, Clerk

In the Matter of INDIGENT

Commissioners held an indigent hearing on case number 95850.

Applicant was not present for the hearing.

Matt Pember, Deputy Prosecuting Attorney, Moffat Thomas sent a letter saying they wouldn't be here and presented their case. Commissioner Kramer we received it. It was presented. Mr. Pember I've read through the letter. This is a time of service incident.

Commissioner Mikesell motioned to uphold decision. Second Commissioner Kramer. Commissioner Mikesell we have reviewed the Moffat Thomas letter and time of service is the time of service and that is the time to declare indigency as the statute states. Motion passed (Urie absent).

In the Matter of COMMISSIONERS PROCEEDINGS

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

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

Commissioners returned to regular session at 3:10 p.m.

In the Matter of SOLID WASTE

Commissioner Urie attended the solid waste board meeting.

In the Matter of MEETING

Commissioner Urie attended Rotary.

There being no further business, the Board recessed until 8:00 a.m., January 29, 2009, 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 JANUARY MEETING  
January 29, 2009, 8:00 a.m.

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

In the Matter of CONSENT CALENDAR

Items include: status sheets, tax cancellation

Commissioner Mikesell motioned to accept the status sheets as presented. Second Commissioner Kramer. Motion passed.

Commissioner Kramer motioned to approve the tax cancellation recommendation on RPT001055011A which is a reassessment of the money so they are equally taken off of each half. There is no net change in the tax value. Second Commissioner Urie. Motion passed.

Commissioner Kramer motioned to approve the tax cancellation for SRT3164002008A for the first and second half of the property with remaining balance of \$1,960.12. Second Commissioner Mikesell. Discussion. Commissioner Kramer this was reappraised at the owner's request and the value was lowered. Motion passed.

In the Matter of RESOLUTION

Rick Dunn, Planning and Zoning Administrator, this process started back in mid to early 2007 at the request of this Board. After looking at other jurisdictions for examples, this is the draft we came up with. The result is an irrigation standard resolution for subdivisions and PUD's. This is in Resolution form. We will actually be able to modify this more easily down the road.

Commissioner Mikesell motioned to approve 2009-6 as presented. Second Commissioner Urie. Discussion. Commissioner Mikesell this Resolution was brought forward by these three commissioners as a way to insure that the aquifer in Twin Falls County is maintained as a complete and whole and when available surface water through Canal Company would be used for irrigation after we noticed rural subdivision were using domestic water to water ground. This is a burden on an aquifer already over stressed. This will insure continued growth and insure our water system. Commissioner Kramer the only thing I'm concerned about is as technology increases and we use low pressure systems or buried drip line systems that we have the ability to modify this. Those are much more efficient systems. It will better utilize the surface water that goes with the land. We have to have the ability to look at this and modify it. Today this is a good standard to utilize. That technology is inefficient but we don't know what will happen in the future. Commissioner Mikesell I also believe that with the ebbing and flowing of county government and our ability to adapt different technologies as we have seen in the septic tank systems. As technology improves we will adapt too. Commissioner Urie I feel from observation of different subdivisions that pressurized irrigation is the only way people will utilize surface water. I promote the pressurized system plus naturally saving the aquifer water. Mr. Dunn this Resolution will go from this date forward. Anything in the pipe now will not follow these guidelines. Motion passed.

#### **TWIN FALLS COUNTY RESOLUTION 2009-6**

WHEREAS, the Twin Falls County Commissioners are aware that water is one of the most important natural resources, and

WHEREAS, the Twin Falls County Commissioners are aware that proper water usage and conservation is necessary for the protection of this natural resource, and

WHEREAS, the Twin Falls County Commissioners recognize that Twin Falls County has grown and is growing outside city boundaries, old and new residential developments are dealing or will deal with future water usage issues, and

WHEREAS, the Twin Falls County Commissioners further find that implementing a Pressure Irrigation Design Standard for Subdivisions and Planned Unit Developments is in the best interest of the county to protect the public health and well being as well as promote proper usage of this valuable natural resource;

NOW, THEREFORE BE IT RESOLVED by the Board of Twin Falls County Commissioners that the Board hereby determines that, the "Twin Falls County Pressure Irrigation System Design Standards and Specification for Subdivision and Planned Unit Development" as follows in this resolution, be adopted and implemented as a condition of approval for all Subdivisions and Planned Unit Developments that fall under County jurisdiction.

#### **Twin Falls County Pressure Irrigation System Design Standards and Specifications for Subdivisions and Planned Unit Developments**

##### **A. DESIGN STANDARDS**

1. System Capacity: The pump station shall be sized, at a minimum, to meet the peak demand for the subdivision.
2. The system shall be capable of delivering the peak demand flow rate at pressures no less than forty five (45) psi to each lot, common area(s) and landscape area(s) anywhere in the network.

#### B. ISOLATION VALVES

1. Isolation valves shall be installed so that portions of the irrigation distribution network can be isolated for repair or maintenance without the need to shut down the entire network. Isolation valves shall be located outside street rights-of-way; in utility easements or common areas.

#### C. DELIVERY POINT

1. The distribution system will deliver water to each lot, common areas and landscape areas.

#### D. PROFESSIONAL ENGINEERING REQUIREMENT

1. All Subdivisions and Planned Unit Developments which have irrigation water available shall have an irrigation system designed and stamped by a professional engineer licensed in the State of Idaho.

#### E. PRESSURE IRRIGATION PUMP STATION

1. General: The pressure irrigation pump station shall be an on-demand, constant pressure system, at a minimum the pump station shall be equipped with a minimum of two (2) pumps, a jockey pump and lead pump. The lead pump shall be controlled by a variable frequency drive, VFD. The jockey pump shall be sized to hold system pressure when there is little or no demand on the system. The pumps, controls and appurtenances shall be protected appropriately. All pump station equipment shall be UL listed and shall be covered by a warranty for not less than three (3) years.
2. Pump Controls: Pump station control system shall be variable frequency drive, VFD.
3. Typical Station Operation Logic: A pump shall run via a pressure switch control to maintain system pressure during periods of low or no use. The lag Pump(s) shall start to maintain system pressure as demand increases. When the system demand decreases to a low or no usage condition, the pump shall go into standby mode (go to sleep) until demands increases.
4. Pump Station: shall be designed that the pumps, valves, controls, piping, etc. are adequately protected from the elements (snow, rain, freezing, etc.), public access and provide adequate lighting and convenience outlets. The area around the pump station or pump house shall be fenced, landscaped and address weed control. A minimum fifteen (15) foot wide gravel access road shall be provided from the road to the pump station or pump house. A pump house is optional. The pump house shall be constructed in accordance to applicable building, electrical and plumbing codes. Pump houses: shall

- have a minimum of eighteen (18) inches from the exterior walls to any part of the piping and equipment and be equipped with a roof hatch to allow removal and reinstallation of pumps, have a concrete floor sloped either to a drain or the wet well. Floor penetrations shall be sleeved with rigid PVC or metal pipe. The building shall be adequately ventilated for proper operation of the pump controls and equipped with adequate lighting and convenience outlets.
5. Intake Filter: The pump station shall be equipped with a filter or filters on the intake side of the pumps. The filters shall be self-cleaning.
  6. Pressure Relief Values: The pump station shall be equipped with one or more pressure relief valve(s) of adequate size to prevent over pressurization of the system in the event of control failure. The discharge from the pressure relief valve shall return to the wet well or pond.

## F. DESIGN REPORT

- A. A design report for the pressure irrigation system shall be submitted to the county at final plat submittal. For multiphase developments, the design report for the entire development shall be submitted with the initial phase submittal. The report shall address the following items as a minimum requirement:
  1. Irrigation Water source.
  2. The amount of storage required (if any) to provide the difference between the surface water delivery schedule and demand on the pump station for pressurized irrigation water.
  3. The range of flows the pump station is designed to operate at, peak, average and low demand.
  4. System pressure not greater than eighty five (85) psi and not less than (45) psi at any point in the system.
  5. Filtration equipment.
  6. Hydraulic analysis of the distribution piping network and pumping equipment that demonstrates the pressure irrigation system is capable of providing at least forty five (45) psi to the most critical service line on the system (highest elevation/furthest from the source) with half of the peak flow rate distributed over the entire project and the other half distributed among the lots furthest from the pump station at minimum of fifteen (15) gpm per lot.
  7. Where necessary a rotational schedule for pressurized irrigation users, require a two (2) hour watering window and that all lots, including common areas, will irrigate within a twelve (12) hour window.
  8. Design capacity: where multiple subdivisions will utilize one pump station, the report must address the entire system as it will be at final build out.

## G. OPERATIONS AND MAINTENANCE

- A. The engineer and/or contractor shall prepare an operations and maintenance manual (O & M) for the pressure irrigation system. Two (2) copies of the final manual shall

be submitted to the home owners association or entity responsible for operating and maintaining the system. For multiphase projects, record drawings of each phase of the project shall be submitted after completion of each phase and to be included in the O & M. The manual must contain/address the following items as a minimum requirement:

1. Table of Contents.
2. Contact information (name, address and phone) for the general contractor (who installed the system), suppliers of each of the major components of the system, system owner.
3. General description of the system.
4. Detailed description of the operations of the pump station including operating pressure ranges, pumps design to meeting system demand, restarting pumps after system failure, troubleshooting guides. etc.
5. Rotation schedule for pressurized irrigation users (homeowners).
6. Proposed delivery schedule of the irrigation water source to pump station.
7. The range of flows the pump station is designed to meet at peak, average and low demand. State the water right allotment for the subdivision.
8. Start-up, winterization and system maintenance including but not limited to: delivery, piping, valves, blow offs, pumps, pump controls, pond, wet well, etc.
9. Instruction manuals, information (cut) sheets, part numbers, etc. for all major components in the system including but not limited to pumps, VFD, pump controls, valves, pressure tanks and filtration equipment.
10. Complete electrical schematic diagrams of the control panel and all other pertinent wiring.
11. Inventory of spare parts recommended for the pump station, including but not limited to: pumps, seals for pumps, filters for filtration equipment, etc.
12. Record drawings of the pump station and distribution piping. For multiphase developments, submit an overall working record drawing of the entire distribution network as phases are completed. The engineer may submit partial overall record drawings on plain paper.

## H. PRESSURIZED IRRIGATION SYSTEMS STANDARD SPECIFICATIONS

All items shall conform to the latest edition of the "Idaho Standards for Public Works Construction" (I. S. P. W. C.) and road crossings shall conform to applicable Highway District construction standards.

## I. INSPECTION

The developer shall provide a written statement from a Professional Engineer (licensed in the state of Idaho) warranting that the system was inspected and installed according to the plans.

## J. SYSTEM WARRANTY

The system and all its appurtenances shall be warranty by the developer for a period of one (1) year or one full irrigation season, which ever is longer, starting from the time the development is completed and the irrigation system is in operation. Multiphase projects; the warranty shall apply to each phase.

DATED this 29 day of January, 2009.

TWIN FALLS COUNTY BOARD OF  
COMMISSIONERS

/s/ George Urie

George Urie, Chairman

/s/ Terry Ray Kramer

Terry Ray Kramer, Commissioner

/s/ Tom Mikesell

Tom Mikesell, Commissioner

ATTEST:

/s/ Kristina Glascock

Kristina Glascock, Clerk

In the Matter of BUILDING

Commissioners met with Dr. Geist regarding the parking lot at SRBA.

In the Matter of MEETING

Commissioner Kramer attended Buhl Rotary.

In the Matter of MEETING

Commissioners met with Sherri Molina regarding the TARC Center.

In the Matter of MEETING

Commissioners met with Mark Brunelle, Research and Development.

There being no further business, the Board recessed until 8:00 a.m., January 30, 2009, 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 JANUARY MEETING  
January 30, 2009, 8:00 a.m.

The Board of County Commissioners reconvened at 8:00 a.m. in regular session, pursuant to the recess of 29 January. Present: Commissioner Tom Mikesell, Commissioner Terry Kramer,

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

In the Matter of INDIGENT

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

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

Commissioners returned to regular session at 10:09 a.m.

Commissioner Mikesell motioned to approve case numbers 96407, 96408, 96409, and 96413. Second Commissioner Kramer. Motion failed.

Commissioner Kramer motioned to approve case number 96492 with a \$25.00 per month payback starting in July. Second Commissioner Mikesell. Motion passed.

Commissioner Mikesell motioned to approve case number 96488 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Mikesell motioned to approve case number 96493 with a \$50.00 per month payback. Second Commissioner Kramer. Motion passed.

Commissioner Mikesell motioned to approve case number 96340 with a \$25.00 per month payback. Second Commissioner Kramer. Motion passed.

In the Matter of GRANT

Commissioners considered a grant with the FAA for the airport.

Bill Carburry, Airport Manager, I sent a copy for your review on an FAA grant offer part one. This year is different in that the FAA is getting funding approval every six months. With that the airport improvement program is also being divided based on this. Our grant this year will be in two parts. We have a large payment rehabilitation project on the ramp area, we are looking at potentially acquiring a sophisticated piece of snow removal equipment and a paving survey and grading of the runways. The FAA has sent out this part 1 grant offer. Our balance is approximately \$2.5 million. One million from this grant and 1.5 million that rolled over from prior years. With that I recommend that we accept part one of the grant offer in the amount of \$1,065,040.

Commissioner Mikesell motioned to approve grant. Second Commissioner Kramer. Discussion. Commissioner Mikesell since we have a 1968 contract for the airport this would be an opportune time to make arrangements to sit down and talk about that contract and proceed with how we review it. Motion passed.

In the Matter of SHERIFF

Commissioners considered a settlement with Bank of America for the Sheriff's Office credit card.

Commissioner Kramer motioned to approve negotiated settlement with Bank of America for the Sheriff's outstanding fee and interest in the amount of \$10,000. Second Commissioner Mikesell. Discussion. Commissioner Mikesell I don't know that we have any alternative. It's very difficult for me to do this but under advice of legal counsel and options available to us and we have negotiated half the price. Where we go from here will be decided by the Commissioners. We must do this. Motion passed.

In the Matter of SHERIFF

Commissioners considered a Equitable Sharing Agreement for Sheriff's Office grants.

Commissioner Mikesell motioned to allow the Chairman to sign the Equitable Sharing Agreement and Certification. Second Commissioner Kramer. Discussion. Commissioner Mikesell this is a document to the federal government documenting our budget. Commissioner Kramer this is changing the name of the Sheriff. Motion passed.

In the Matter of ZONING

Commissioners considered Findings of Fact for Kimberly Falls Subdivision.

Commissioner Kramer motioned to approve Findings of Fact as presented for the Kimberly Falls Subdivision. Second Commissioner Mikesell. Discussion. The Findings of Fact do uphold Planning and Zoning decision. Motion passed.

In the Matter of CONSENT CALENDAR

Items include: status sheets, tax cancellations

Commissioner Kramer motioned to approve tax cancellation on RPT47910030140A for \$201.53. Second Commissioner Mikesell. Discussion. Commissioner Kramer this was reevaluated due to square footage discrepancies. Motion passed.

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

In the Matter of JUVENILE

Commissioners attended the Status Offender Services meeting.

In the Matter of JUVENILE

Commissioners attended the Juvenile Joint Powers meeting.

In the Matter of MEETING

Commissioners attended the open house at the Community Service Center.

In the Matter of BUDGET

Expenditures by fund for January 2009:

Fund 100	Current Expense	\$1,182,287.40
Fund 102	Tort	1,538.17
Fund 106	Safe Place	53,919.27
Fund 108	Capital Projects Fund	31,717.74
Fund 109	Twin Falls County Extension	1,742.81
Fund 113	Weeds	11,129.48
Fund 114	Parks and Recreation	33,609.40
Fund 115	Solid Waste	10,651.64
Fund 116	Ad Valorem	62,812.57
Fund 118	District Court	54,893.61
Fund 130	Indigent Fund	421,547.08
Fund 131	Public Health	29,699.25
Fund 132	Revenue Sharing	0.00
Fund 136	Pest Control	0.00
Fund 167	Abatement District	123.03
Fund 174	County Boat License	2,545.91
Fund 175	Snowmobiles	6,993.78
Fund 196	Justice Fund	699,194.07
Fund 608	Juvenile Correction Act Funds	14,254.16
Fund 609	Tobacco Tax Grant	23,737.50
Fund 610	Boat Grant Waterways Match	0.00
Fund 611	Adult Substance Abuse Grant	22,291.03
Fund 612	Rose St. Safe House	0.00
Fund 620	Status Offender Services	11,297.58
Fund 630	Fifth District SOS	4,477.21
Fund 634	Section 157 Occupant Protection	0.00
Fund 635	Parks-Grants	0.00
Fund 638	SFP-Twin Falls	1,077.14
Fund 639	Strength Fam Pro (Burley)	0.00
Fund 641	Social Activities Group Grant	0.00
Fund 645	JAG Grant	0.00
Fund 650	Twin Falls Co. Sheriffs Reserves	0.00
Fund 651	Sheriff Donation Fund	0.00
Fund 652	Sheriff Drug Seizure Money	779.92
Fund 659	Prosecutor's Drug Seizure Money	19.45
Fund 660	Court Facility/Program Funds	5,350.00
Fund 663	Sheriff's Youth Plate	0.00
Fund 666	Sheriff-Vests	4,650.00
Fund 667	Prosecutor Drug Reimb	0.00
Fund 671	Twin Falls Co Sheriff Search & Rescue	0.00
Fund 673	Juvenile Probation Misc.	1,630.91
Fund 674	Twin Falls County Insurance	0.00
Fund 676	VOCA Mediation Grant	0.00

Fund 677	Underage Drinking-Media Project	-158.36
Fund 679	Centennial Wetland Complex Project	0.00
Fund 681	Drug Court	24,724.56
Fund 682	Youth Court	5,142.86
Fund 683	Court Assistance	473.85
Fund 684	Family Court Services	3,684.51
Fund 685	DUI Court	8,375.66
Fund 686	Mental Health Court	114.38
Fund 687	Sheriff's Grants	6,776.10
Fund 691	Coroner-Coverdell Grant	0.00
TOTAL		\$2,747,322.95

There being no further business, the Board recessed until 8:00 a.m., February 1, 2009, 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.