

OWYHEE COUNTY COMMISSIONER MINUTES
DECEMBER 13, 2010
OWYHEE COUNTY COURTHOUSE
MURPHY, IDAHO

Present were Commissioners Jerry Hoagland, Richard Freund, and George Hyer, Clerk Charlotte Sherburn, Treasurer Brenda Richards, Assessor Brett Endicott, Deputy Prosecuting Attorney Chuck Sarri, Jim Desmond, and Mary Huff.

Commissioner Hoagland called the meeting to order at 9:03 a.m. The Board took up the deliberation on the Wilke Order to Show Cause Hearing held on November 16th. Mr. Desmond was the acting hearing officer, and Mr. Sarri served as legal counsel to the Board. The matter of the engineered berm on Mr. Wilke's cattle feeding operation was discussed at length. The consensus of the Board was that Mr. Wilke had met the requirements of the NRCS and the Department of Agriculture in constructing the berm, and the failure of continued maintenance was an issue. Commissioner Freund made a motion that Mr. Wilke had met his burden of proof with regards to the Order to Show Cause. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Freund made a motion directing staff to prepare findings of fact and conclusions of law based on the evidence, testimony and deliberations from the Order to Show Cause Hearing, and to have them for review by December 28th. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Freund made a motion to amend the agenda to include the RFB for the 911 system. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Freund made a motion to set the agenda as amended. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Freund made a motion to approve the Board Minutes from the December 7th meeting. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Treasurer Richards, and Assessor Endicott presented requests for cancellation of property taxes on six parcels due to errors in the assessments.

Commissioner Freund made a motion to cancel the taxes for \$106.62 on parcel no. RP04N06W248840A owned by Bud and Pauline Jones. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Freund made a motion to cancel the taxes of \$666.76 on parcel no. RP03N05W336000A owned by Marybelle Mahler. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Freund made a motion to cancel the taxes of \$493.21 on parcel no. RP A014000C00FCA owned by Rufo and Margie Isaguirre. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Hyer made a motion to cancel the taxes of \$607.28 on parcel no. RPB04400060150A bought by the City of Marsing in a Sheriff's sale. Commissioner Freund seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Freund made a motion to cancel the taxes of \$1,984 on parcel no. RP06S04E220010A owned by Unruh Trust. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Hyer made a motion to cancel the taxes of \$232.78 on parcel no. MH04S01E117200, a mobile home that had been put on twice, owned by Darrell & Heather Lemon. Commissioner Freund seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Hyer made a motion to approve the end of year report to Idaho Department of Parks and Recreation. Commissioner Freund seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye. The request for retention of County Vessel Funds was prepared by the Owyhee County Waterways Committee members, Bob Aldrich, Dave Ellis and Jerry Benson. The retention of funds in the amount of \$43,129 was earmarked for a boat storage building in Marsing, repair of the docks and placement of cabana's at Bernard's Landing, safety equipment for the boat, and building of a fund to buy or lease property for a boat ramp facility between Murphy and Grand View.

Commissioner Freund made a motion to send letters of appreciation for serving on the Owyhee County Planning and Zoning Commission to Dan Landa, and Martin Jaca. Commissioner Hyer seconded the motion.

Commissioner Hyer made a motion to adopt Resolution 10-42 Approving an Application for Federal Aid Funding through the STP-Rural Program and is fully committed to paying the 7.34% matching share, if the project is funded. Commissioner Freund seconded the motion. Hyer-aye, Hoagland-aye, Freund-nay.

Commissioner Hyer called for an executive session pursuant to Idaho Code 67-2345 (1),(a),(b),(c),(d),(e),(f),(g) for attorney memo's. possible litigation, and personnel. Commissioner Freund seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

After moving out of executive session Commissioner Freund made a motion to approve the application for hardship tax exemption for parcel RPB0380006003A A in the amount of \$671.20 for 2010 taxes. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Hyer made a motion to take under advisement the application for hardship tax exemption for parcel no's RP04SO2E265520 A in the amount of \$204.82, no.

RP04S02E265580A for \$3.16, and parcel no. MH04S02E265520A for \$193.54. Commissioner Freund seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

Discussion was held on the bid for a new 911 system. Jim Desmond reported that according to Eddie Goldsmith with Bureau of Homeland Security there were no changes from the RFP that was submitted earlier in 2010 to get cost estimates to replace the existing system. The RFB will be put on the website and vendors contacted.

Commissioner Hyer made a motion to deny the request for hardship on parcels RP04S02E265520A, RP04S02E265580A, and MH04S02E265520A. Commissioner Freund seconded the motion to deny. Hyer-aye, Freund-aye, Hoagland-aye.

Commissioner Freund made a motion to adopt Ordinance 10-03 Amending Ordinance 08-03 Designating the Portions of Certain Roads Closed to ATV, UTV, and Motorbike Use. Commissioner Hyer seconded the motion. Hyer-aye, Freund-aye, Hoagland-aye.

There being no further business the Board moved for adjournment.

Dated this 21st day of December 2010.

Jerry Hoagland, Chairman

Attest: _____
Charlotte Sherburn