

JEROME COUNTY BOARD OF COMMISSIONERS

Monday, February 27, 2023

PRESENT: Ben Crouch, Chairman
Charles Howell, Commissioner
Jane White, Deputy Clerk

Meeting convened at 9 A.M.

Commissioner Crozier was excused.

COMMISSIONER REPORTS

Commissioner Howell reported from a Southern Idaho Regional Solid Waste District board meeting. He said directors had heard a presentation from an additional company that could provide recycling on site. The proposal had differences from another company that had addressed directors, and no decision was made regarding a recycling company.

Commissioner Howell stated he had spoken at an executive open house for True West Beef. He said employees from other company locations would teach those employed at the Jerome County facility. Commissioner Crozier was also in attendance.

Commissioners Howell and Crozier had attended a recognition for Joe Robinette, who was retiring after serving on the Jerome Rural Fire Department for 50 years. His position was to be filled by Larry Robbins. The Commissioners had also attended a Community Unity gathering to celebrate the local Mexican culture and to help people work together as well as attending an open house hosted by the Bureau of Land Management (BLM) and Galileo regarding the proposed Lava Ridge Wind Project.

Commissioner Crouch reported from an Airports Advisory Board meeting where Interim Manager Marty Luhr had told of improvements made at the Jerome Airport and further upgrades needed. The Commissioner was given letters from three board members who would like reappointment.

❖ A Motion was made by Commissioner Crouch to renew the appointments of John Toolson, Gary Oliver, and Ralph Kincheloe to the Airports Advisory Board. It was seconded and carried with unanimous ayes.

Commissioner Howell favored in the future to post notices before County board appointments expire and to interview those who wish to serve or continue to serve on a board.

Commissioner Crouch said he had also attended a viewing for the assessor's daughter who had passed away.

Commissioners Crouch and Howell, along with their wives, had attended a Fair Appreciation Dinner where Gary Warr was awarded a plaque for his 15 years of service on the Fair Board.

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The two Commissioners were also present at a ribbon cutting ceremony for Hempitecture at Northbridge Junction.

Commissioner Crozier had submitted a summary of his activities the previous week as follows.

- Special Fair Board meeting to discuss bylaws, policies, budgeting, and concession building leases.
- Planning meeting for the South Central Community Action Partnership fundraiser, Empty Bowls; many donations had been pledged, with the event scheduled for April 25.
- Met with Eminent Technological Solutions (ETS) representatives Jacob Johnson and Curtis Bennett to learn more about plans for broadband services and technology support.
- Legislative Committee meeting, forwarded notes to Commissioner Crouch and Mr. Schenk.
- Attended the first meeting of the newly formed Youth Crisis Center Advisory Board. The Center will be on Main Street in Twin Falls in a building currently owned by ProActive Mental Health. Directors were introduced; floor plans and finances were reviewed.
- Attended a community meeting concerning the proposed east end medical facility in Hazelton.

APPROVE ROCKY MOUNTAIN WEST INVOICE

The Board approved an invoice for \$16,000 to Rocky Mountain West Telecommunication Services for a broadband study, as approved by Motion on October 17, 2022.

APPROVE TIME RECORDS

The Commissioners approved Time Records for Deserae Calbo, Brent Culbertson, Scott Denning, Nancy Marshall, Mark Reyes, Tanya Stitt, and Mario Umana for the February 12, 2023, through February 25, 2023, payroll period.

APPOINT AIRPORT ADVISORY BOARD MEMBERS

The Commissioners had agreed earlier with renewing the appointments of three Airport Advisory Board members because their terms had expired.

DISCUSSION ON HAZELTON AIRPORT PROPERTY

Jim Walters and Ellen Riffle were present.

Jim Walters was present to inquire about Hazelton Airport property owned by the County. He asked if a small portion in the northeast corner of the Airport could be bought or leased, explaining that it had been formerly used by remote airplane enthusiasts (Snake River Flyers) but now was a weed patch. He said that the North Side Canal Company has been spraying weeds on the property but that the canal company will be decommissioning the canal around the property.

Ellen Riffle, as owner of the property, said the canal would be taken out in the fall of 2023, which would leave the weeds as a problem the next spring.

➤ The Commissioners said they would research the property and also ask the Airport Advisory Board for input.

BUSINESS AND/OR ADMINISTRATIVE MATTERS

Commissioners signed a Catering Permit for the South Hills Bar & Grill, Hansen, to be used March 4, 2023, from 2 P.M. until 12 A.M. at the Risk Barn.

SIGN AND APPROVE CLAIMS

This matter was continued until February 28.

9:55 A.M. – Commissioner Crozier was present.

MARK REYES—SOFTWARE LICENSE UPGRADE

Mark Reyes, GIS (mapping) specialist, was present.

Mark Reyes followed up from his request on January 23 about licensing for his department. He said he had misunderstood that the amount previously approved was just for an advanced license for the current year and did not include a yearly licensing renewal of \$6,150 from May 1, 2023, through April 30, 2024.

Reyes stated it would be beneficial to the County to upgrade as soon as possible, saying the fees may increase as they had in the past.

❖ A Motion was made by Commissioner Crozier to approve the cost of \$13,800 to Environmental Systems Research Institute (esri) for the upgraded license and a renewed license for the GIS department. It was seconded and carried with unanimous ayes.

BILL BRIDGES—SNAKE RIVER CANYONS PARK UPDATE

Bill Bridges and Sue Williams, representing the Snake River Canyons Park Managing Board, were present.

Bill Bridges reported from the previous Park Board meeting that members had discussed moving their meeting time until evening but that most members present wanted it to remain from 11 a.m. to 1 p.m.

Bridges said that Lexi Roth is resigning from the Park Board because of her other obligations. He said that she had met with the people in charge of the Park’s web page about its content.

Sue Williams said the web site could be improved if it had more information from Park Board members.

➤ Bridges asked about a survey of the broken bridge, and Commissioner Howell said he would pursue it that week.

Commissioner Howell said he had not pursued erecting a light at the Yingst Grade parking lot because of the objection of a neighbor and a possible lawsuit from another neighbor.

Discussion was held on the placement of new signs at the parking lot.

Bridges said a Park subcommittee is updating the Master Plan for the Park. Commissioner Howell expressed that the Commissioners would need to seek approval of an updated Plan from the Bureau of Land Management as part of its renewed Park lease with the County.

Bridges stated Park clean-up in addition to the yearly event was needed. He asked if sheriff work crews or sentences for public service could provide some workers. Commissioner Crouch suggested the website “justserve.com” that he said had provided volunteers for another County project.

Williams said rock had been crushed for an access road to a parking pad in the Park. She also said she had found and flagged a good area for horse corrals. Williams continued to say that she would like the County mapping specialist to use his drone to highlight areas of the Park. She also expressed concern about no right-hand turn lane off Highway 93 to the Park because there was not enough distance for larger vehicles to turn.

MARIO UMANA—JUVENILE PROBATION REPORT

Juvenile Probation Administrator Mario Umana was present.

Mario Umana reported from his written office statistics from January 31, 2023, through February 27, 2023. They included 104 juveniles on probation, twelve new probationers, seven closed cases, and a total of \$1,099.69 in fees collected. He said most of the new cases were truancies.

Umana stated two subjects charged with writing graffiti in several places in Jerome, including the Courthouse, were not juveniles and that he was pleased that law enforcement had identified the subjects so quickly.

DESERAE CALBO—MISDEMEANOR PROBATION REPORT

Misdemeanor Probation Administrator Deserae Calbo was present and requested an executive session.

❖ 11:18 A.M. - A Motion was made by Commissioner Crouch to go into executive session per Idaho Code 74(206)(1)(b) regarding personnel. It was seconded and carried with a unanimous roll call vote.

11:20 A.M. – Return to open session.

Deserae Calbo stated she planned to attend supervisor training in Boise on March 1 and that her hours that day would be the same as a day in the office.

Calbo read from January misdemeanor probation statistics, reporting 416 adults on probation; 211 active warrants; 21 new cases; 32 closed cases; 117 unsupervised cases; 125 adults in court compliance; 15 in Driving Under the Influence (DUI) Court; and 23 in Domestic Violence (DV) Court. She said the total for all fees collected in January was \$9,859.70.

LUNCHEON WITH IDAHO POWER REPRESENTATIVES

Seven representatives from Idaho Power were present with a check to begin engineering studies for an overlook of Shoshone Falls in Jerome County. They were Aaron Utz, Jordan Rodriguez, Brad Bowlin, Jim Mason, Joe Kendall, Fred Noland, and Nathan Murry. Also present were Larry Hall, Jerome 20/20; and Bill Bridges and Sue Williams, Snake River Canyons Park Managing Board members.

A luncheon was provided by the Jerome 20/20 economic development organization and prepared by the Renew restaurant. Several of the Idaho Power personnel were from a Boise office.

The Idaho Power representatives introduced themselves and their roles with the company.

Commissioner Crouch gave a brief history of efforts to provide an overlook of the Snake River Canyon and Shoshone Falls from the north side of the Canyon. He said Idaho Power and Jerome County would each contribute \$100,000 for engineering studies and then Idaho Power had pledged \$250,000 toward construction of the overlook. He added that Jerome County had just entered a new 25-year lease of Park property with the Bureau of Land Management.

Aaron Utz stated Idaho Power values recreational opportunities and economic development.

A large check, as well as a paper check, were presented for a photo opportunity with KMVT. Commissioner Crouch thanked Idaho Power for its contributions and gave the television reporter an interview. Larry Hall was also interviewed.

KENT ATKIN AND MARTY LUHR—AIRPORT MATTERS

Airport Consultant Kent Atkin, JUB Engineers, was present. Marty Luhr could not be present.

Kent Atkin presented an agreement between Jerome County and JUB Engineers for the Hazelton Airport parallel taxiway asphalt paving project. He said the agreement would cover design, bid, and close-out by JUB Engineers, with opening of bids scheduled with the Commissioners on March 27, 2023. Atkin added that the project was needed for safety and would be designed in 2023 and constructed the following year.

❖ A Motion was made by Commissioner Crouch to sign the Agreement for Professional Services for the Hazelton Airport taxiway project. It was seconded and carried with unanimous ayes.

Commissioner Crouch asked Atkin about the proposal to purchase or lease property on the Hazelton Airport discussed that morning. Atkin said the County could either sell or lease the land but if it was sold, the County would lose control of it, and Commissioner Crouch said he would prefer leasing it.

CODY WESTOVER AND DESEA LANCE—SHERIFF OFFICE SOFTWARE

Present were Deputy Sheriffs Rick Bohling and Chad Kingsland; IT personnel Cody Westover and Desea Lance; and Chief Deputy Clerk Tracee McKim.

Desea Lance gave the Board an agreement with Computer Arts/Harris as well as 27 pages of information from CentralSquare for software for the sheriff's office. She said the goal of the sheriff's office was to terminate services from Computer Arts for both civil and patrol software.

Lance stated the set-up fee for CentralSquare would be \$89,911.86, which would include the first year subscription total of \$25,198.26 compared to a Computer Arts yearly subscription of \$57,861.24. She said CentralSquare software would integrate with the sheriff's office and the jail.

Sheriff George Oppedyk was present and also Tanner Johns.

Lance continued to say that Computer Arts would not be updating its software for the sheriff's office. She stated that CentralSquare would utilize the County servers; enable electronic citations; and integrate with surrounding counties using the company's software.

Lance told the Board approval now would enable the County to go live with CentralSquare by October 1 when the current Computer Arts contract terminates.

❖ A Motion was made by Commissioner Howell to approve a contract with CentralSquare's Public Safety Software Solution for the Jerome County Sheriff's Office for \$89,911.86. It was seconded, followed by discussion that the new software would help the deputy sheriffs and the County's relationship with neighboring counties as well as save the County money. The Motion carried with unanimous ayes.

AMY SCHUTTE AND LUKE PAPEZ—DRAFT EIS FOR LAVA RIDGE WIND PROJECT

Amy Schutte, Luke Papez, and Shawn Mock were present representing Magic Valley Energy. Also present was County Assessor Mark Swenson. Present representing local residents were Cody Bradford, Kye Copeland, Brode Mitchell, and Tanner Johns.

Luke Papez said that the Bureau of Land Management (BLM) was extending the public comment period for 30 days until April 20 following its draft Environmental Impact Statement (EIS) regarding the Lava Ridge Wind Project. He said he saw the extension as a positive step because of the comprehensiveness of the document, showing the impact of implementing the project.

Papez said Magic Valley Energy (MVE) was comfortable with changes the BLM has made to the original proposal by MVE and sees the Bureau's Option C as a good compromise. He said that grazing could continue during construction of the wind turbines and that there would be wildlife habitat seasonal restrictions.

Papez stated that MVE continues its engagement with stakeholders and is willing to meet with any entities. He then stood for any questions.

Commissioner Howell complimented the company representatives on exercising fortitude when the majority of persons present at a meeting were in opposition to the turbines. Papez said listening was the only way to open a dialogue.

Commissioner Howell then asked about blasting repercussions during construction and about animal grazing. Papez said grazing could continue on two-thirds of the Star Lake allotment and that the company had an option to acquire grazing animal units.

Commissioner Crozier questioned about the material from blasting, and Papez said the company reuses it as much as possible for road base or backfill. The Commissioner also asked about the necessary blasting; Papez said it would be a minimal amount and that there would be geotechnical borings at every turbine location.

Commissioner Crouch asked about any damage done to the environment, and Papez said it would be the company's responsibility to correct it. The Commissioner also said certain turbine heights could be detrimental to instrument approaches to the Jerome Airport. Papez answered that the Federal Aviation Administration (FAA) had issued findings of potential turbine affects to the Airport and that they did not include instrument approaches; he said he would share the FAA findings with the Commissioners.

Papez added that the distance of the turbines from the Jerome Airport and the Hunt relocation camp had been increased in the draft BLM Statement. In answer to Commissioner Crouch's question, Papez said electromagnetic interference was not indicated in the FAA findings.

Local resident Kristi DeWitt was present.

Commissioner Howell asked about new and damaged roads. Papez said MVE would leave all roads as good or better than before project construction.

Commissioner Crouch shared that the perception was that the BLM had decided no matter what the local people want; Papez said it has not been decided and that MVE is respectful of local desires. He said there is also more support for the project than perceived and that some local businesses could reap a great value from the project.

Commissioner Crozier inquired about the timeline for a decision from the BLM. Papez responded that further public comments would be considered, with a final EIS expected to be completed by the fall of 2023.

Commissioner Howell compared the illegality of killing bald eagles to the amount allowed to be killed by the wind turbines; Papez said there were conservation plans that could actually increase the eagle population. Commissioner Crouch asked about the bodies of the birds, and Papez said they are reported to the Fish & Wildlife Service.

KACIE BUHLER—BUILDING PERMIT REFUND

Planning and Zoning Assistant Administrator Kacie Buhler was present. Also present was Kristi DeWitt.

Kacie Buhler requested approval to issue a refund for a commercial building permit because it had been determined that the majority of the building was for ag purposes. She said the owner would submit an application for a commercial permit for the remaining part of the building later.

❖ A Motion was made by Commissioner Crouch to refund \$1,523.61 to Charles Friesen for an ag permit rather than a commercial permit, based on the information from Kacie Buhler. It was seconded and carried with unanimous ayes.

BRENT TOLMAN—REPAYMENT DISCUSSION OF STARTUP COSTS FOR URA

Brent Tolman, policy advisor for the County Urban Renewal Agency, was present. Also present were Kristy DeWitt and Tanner Johns.

Brent Tolman reported that the board of directors for the County Urban Renewal Agency had requested that he propose that the Agency repays the County for start-up costs incurred by the Agency from 2008 until 2011 totaling \$48,538. He provided a proposed repayment schedule that would repay the County \$8,100 on September 30, 2023, and \$8,100 every September through 2027, with a final payment of \$8,038 on September 30, 2028.

Commissioner Crozier expressed that the repayment plan makes good sense, saying some entities accept repayment, and some do not.

❖ A Motion was made by Commissioner Crozier for the Board to be in favor of accepting the proposal. It was seconded and carried with unanimous ayes.

Tolman said the URA would prepare a formal agreement for the Commissioners' signatures.

MIKE SEIB—LEGAL COUNSEL

Mike Seib and Brad Calbo, prosecutor and deputy prosecutor, respectively, were present. Also present were Kristy DeWitt and Tanner Johns.

Moonlight Mountain Recovery Follow-up: Brad Calbo stated that he had scheduled a meeting with persons in opposition to the Moonlight Mountain Recovery Special Use Permit (SUP) as a result of the volume of e-mails his office had received from them.

Calbo said he was confident he could handle any litigation that might result from opposition to the Permit.

Mike Seib said the prosecutor's office had received a list of conditions the opposition would like added to the SUP. He said he had consulted Cassia County because it had also received a Special Use Permit application from Moonlight Mountain Recovery.

➤ Commissioner Howell asked that Seib prepare the conditions for negotiation with Moonlight Mountain attorneys.

Revised Resolution 2023-5: Seib presented a revised 2023-5 resolution, stating that the resolution passed on February 13 contained conflicting board terms for the Board of Community Guardians and that the correct terms were to be open-ended.

❖ A Motion was made by Commissioner Crouch to sign Resolution 2023-5, a revised agreement for Community Guardians. It was seconded and carried with unanimous ayes.

RESOLUTION 2023-5, REVISED

A RESOLUTION OF THE JEROME COUNTY BOARD OF COMMISSIONERS, STATE OF IDAHO, ESTABLISHING THE JEROME COUNTY BOARD OF COMMUNITY GUARDIANS AND THE APPOINTMENT, TERMS, AND DUTIES OF ITS MEMBERS AND OTHER VOLUNTEERS; SETTING FORTH UNDERLYING RECITALS; INCORPORATING RECITALS; DIRECTING IMPLEMENTATION BY ADMINISTRATIVE STAFF; REPEALING ALL CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE

RECITALS:

WHEREAS, Article XII, Section 2, of the Idaho Constitution authorizes counties to adopt “all such local police, sanitary, and other regulations as are not in conflict with its charter or with the general laws;” and

WHEREAS, the Board derives its authority and power from Idaho Code Section 31-801, limited and restricted as are prescribed by law; and

WHEREAS, Idaho Code Section 31-714 authorizes the Board to pass all ordinances and rules and make all regulations, not repugnant to law, necessary for carrying into effect the powers and duties conferred by the laws of the State of Idaho, and such as are necessary or proper to provide for safety, promote the health and prosperity, improve the morals, peace and good order, comfort, and convenience of the county and the inhabitants thereof; and

WHEREAS, there exist individuals in the county who are in need of guardianship and for whom there is no person or corporation qualified and willing to act in such capacity; and

WHEREAS, a need for a Board of Community Guardians exists in Jerome County; and

WHEREAS, the Board of County Commissioners has authority and power to establish a Board of Community Guardians pursuant to Idaho Code Section 15-5-601;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF JEROME COUNTY, IDAHO, AS FOLLOWS:

NOW, THEREFORE, BE IT ORDAINED BY THE JEROME COUNTY BOARD OF COMMISSIONERS as follows:

- I. Recitals. The above recitals are hereby incorporated into this resolution.
- II. Authority. This resolution is enacted pursuant to Idaho Code Section 15-5-601.
- III. Title. This resolution shall be known as Resolution No. 2023-5. Exhibit “A”, which is attached hereto and incorporated herein, shall be known as the “Policy of the Jerome County Board of Community Guardians.”

IV. Purpose. To promote the public safety, health, welfare, and protection by implementing a Board of Community Guardians to care over individuals in need of guardianship and for whom there is no person or corporation qualified and willing to act in such capacity.

V. Adoption. This resolution is adopted as written and shown in Attachment “A”, which is attached hereto and incorporated herein by this reference.

VI. Repeal. Any other existing Jerome County resolution, or portions thereof, that conflicts with the provisions of this resolution are hereby declared to be repealed or superseded to the extent of such conflict.

VII. Severability. The various parts of this Resolution and those of its attachment are severable. The invalidity of a certain part shall not affect the validity of the remaining parts.

VIII. Implementation. Administrative staff and agents of Jerome County are hereby directed to take such actions as may be necessary to implement the provisions of this Resolution.

IX. Effective Date. This resolution shall be effective upon its approval and passage by the Jerome County Board of Commissioners.

Approved and adopted as an ordinance of Jerome County by the Board of Jerome County Commissioners on February 27, 2023.

JEROME COUNTY BOARD OF COUNTY COMMISSIONERS

ATTEST:

BOARD OF COMMISSIONERS

/s/ Michelle Emerson
Michelle Emerson, Clerk of the Board

/s/ A. Ben Crouch
A. Ben Crouch, Chairman

/s/ John Crozier
John Crozier, Commissioner

/s/ Charles M. Howell
Charles M. Howell, Commissioner

EXHIBIT “A”

POLICY OF THE JEROME COUNTY BOARD OF
COMMUNITY GUARDIANS

I. ESTABLISHMENT OF BOARD OF COMMUNITY

The Board of Commissioners do hereby establish the Jerome County Board of Community Guardians, hereafter referred to as the Guardians Board. Said board shall be responsible for administering the policy stated herein and shall be comprised as follows:

II. GUARDIANS BOARD OF COMMUNITY GUARDIANS

1. The Guardians Board should be comprised of, as much as possible, equal residents from the eastern half of the county – areas in or around the cities of Eden and Hazelton – and residents in the western half – areas in or around the city of Jerome – and shall be appointed by the Board of Commissioners, pursuant to the procedures stated herein.
2. The Guardians Board shall consist of seven members.

3. No person shall be appointed, and no person shall remain a member, of the Guardians Board who is also an employee of the District Court of Jerome County, or the Clerk of such District Court.
4. The terms of the members of the Guardians Board shall be open-ended, expiring only upon the Member's resignation from the Board, or removal by the Board of Commissioners. Any vacancy created by resignation shall be filled in the same manner as the original appointment.
5. Each member of the Guardians Board shall serve at the discretion of the Board of Commissioners.
6. Members shall act as a single Board and conduct all business coming before it.
7. The Guardians Board shall meet not less than once each quarter.
8. A Guardians Board member having previously provided, or currently providing, services to a ward shall disclose such to the Guardians Board and abstain from any decision or action taken concerning that particular ward.
9. Guardians Board members and officers shall serve without pay.
10. The Guardians Board shall elect a Chairman and a Vice Chairman by a majority vote from among the Guardians Board's members. The officers shall be selected at the first meeting in January and serve for a one (1) year term.
11. Each Guardians Board member shall have one vote. The Chair shall not vote except in the case of a tie, in which case he/she must vote.
12. A Guardians Board member may vote in absentia on specific agenda items by notifying the Coordinator prior to the meeting at which the agenda item will be voted. Such notification may be in writing or by e-mail but must be received by the Coordinator before the meeting in question is called to order. The Coordinator must present the written absentia vote at the meeting or it may not be considered.
13. It is the duty of all members to attend all meetings of the Guardians Board, in person or by phone. If a member cannot attend, it is his/her responsibility to notify the Coordinator prior to the meeting. A member who misses three consecutive meetings without notification may be deemed to have resigned and shall be so notified by the Coordinator. In such instance, the Coordinator shall request that the vacancy be filled by another appointment from the Board of Commissioners without delay.

III. GUARDIANS BOARD

(a) JURISDICTION

The Guardians Board shall have jurisdiction over no more than ten wards at any given time. Upon meeting this maximum limit, the Board shall suspend the review of all further applications until such time as the number of wards drops below ten.

(b) FUNCTION

The Guardians Board shall have all the powers to perform, and shall perform, all the duties granted to a Board of Community Guardians by the provisions of Idaho Code 15-5-601et seq. The Guardians Board shall have such other authority and perform such other functions as provided by law or by order of the courts of this state.

1. Officers:
The officers of the Guardians Board shall be a Chair and a Vice-Chair.
2. Duties of the Officers:
 - (a) Chair:
The Chair shall preside at all meetings, designate subcommittee members and duties, call special meetings, and be an ex officio member of all subcommittees.
 - (b) Vice Chair:
The Vice Chair shall perform all duties and exercise all powers of the Chair in the event of absence or disability of the Chair. He/she shall perform all duties assigned by the Chair.
3. Terms of Office:
 - (a) The Chair and Vice Chair shall serve for a period of one year.
 - (b) The election of officers shall be held in January of each year or as soon thereafter as practicable at a regularly scheduled meeting of which at least five days' notice was given to all Guardians Board members, which notice shall state the purpose of the meeting is to elect officers.
 - (c) Vacancies for unexpired terms of the Chair or Vice Chair shall be filled by nomination and election by the Guardians Board, and the elected person shall serve until the next regular election. There shall be no rights of succession.
4. Terms of Members:
 - (a) Initial appointments to the Guardians Board, made by the Board of Commissioners, shall be for an open-ended term, expiring only upon the Member's resignation from the Board, or removal by the Board of Commissioners.
 - (b) Board members should attend at least two trainings per year.
5. Appointment:
 - (a) Public notice of initial and subsequent vacancies on the Guardians Board shall be made by the Coordinator.
 - (b) Individuals interested in being on the Guardians Board shall submit an application to the Coordinator.
 - (c) All Guardians Board applicants will be screened by the Coordinator.
 - (d) Potential Guardians Board members should pass a criminal history background check, paid for by the Guardians Board.
 - (e) Prospective Board members must provide the Coordinator with no less than three positive references.
 - (f) The Coordinator will present a prospective Board member's application to the Guardians Board and/or Board of Commissioners.
 - (g) The prospective Board member will be interviewed by the Guardians Board at the next available meeting and/or Board of Commissioners.
 - (h) Recommendations shall be made through the Coordinator to the Board of Commissioners for initial and all subsequent appointments.
6. Disqualification:
 - (a) Guardians Board members serve at the will and pleasure of the Board of Commissioners and may be removed for any reason by majority vote of the Board of Commissioners.
 - (b) The Guardians Board may, by majority vote, recommend removal of a member to the Board of Commissioners, for any reason, including, but not limited to:
 - (i) Excessive conflicts of interest or continued conflicts of interest that interfere with the member's ability to perform duties as interpreted by the Guardians Board; or
 - (ii) False or misleading statements by a member at the time of application and appointment; or

- (iii) Excessive, consecutive absences (at least three or more) at meetings without notification.

IV. VOLUNTEER COMPANION

Each Volunteer Companion will be expected to visit a designated ward on a regular basis, monitor his/her situation, and ensure each ward is receiving benefits and care that he/she is entitled to receive to meet his/her needs.

1. Appointment:
 - (a) Individuals interested in being a Volunteer Companion shall submit an application to the Coordinator.
 - (b) All Volunteer Companion applicants will be screened by the Coordinator.
 - (c) Potential Volunteer Companions must pass a criminal history background check, paid for by the Guardians Board.
 - (d) The potential Volunteer Companion must provide the Coordinator with no less than three positive references.
 - (e) The Coordinator will present the Volunteer Companion application to the Guardians Board members.
 - (f) The Volunteer Companion applicant will be interviewed by the Guardians Board at the next available meeting.
 - (g) Recommendations shall be made through the Coordinator to the Board of Commissioners for initial appointment.
 - (h) The Board of Commissioners shall appoint new Companions by majority vote.
2. Disqualification:
 - (a) Volunteer Companions serve at the will and pleasure of the Board of Commissioners and may be removed for any reason, by a majority vote, by the Board of Commissioners.
 - (b) The Guardians Board may, by majority vote, recommend removal of a Volunteer Companion to the Board of Commissioners, for any reason, including, but not limited to:
 - (i) Excessive conflicts of interest or continued conflicts of interest that interfere with the Volunteer Companion's ability to perform duties as interpreted by the Guardians Board; or
 - (ii) False or misleading statements by a member at the time of application and appointment.
3. Requirements:
 - (a) Volunteer Companions shall provide monthly updates on any and all wards assigned to them, by either attending the monthly Guardians Board Meeting in person or notifying the Coordinator of said updates by telephone, in writing, or through the use of e-mail.
 - (b) Volunteer Companions should attend no less than two trainings per year.
 - (c) Volunteer Companions shall attend at least one Guardians Board Meeting per year.
 - (d) If a ward has any significant changes to health or wellbeing, the Volunteer Companion is expected to notify the Coordinator immediately.

V. MEETINGS OF GUARDIANS BOARD

1. Regular meetings:

Regular meetings shall be held at a date and time voted on by a quorum of the Guardians Board. Notice of each meeting shall be given to all Guardians Board members at least five days prior to each meeting. Notice of said meetings may be given verbally, in writing, or through the use of e-mail.
2. Open Meeting Laws:

Meetings by the Guardians Board shall comply with the Open Meeting Laws per Idaho Code 74-201 et seq.

3. **Quorum:**
To constitute a quorum for conducting business, there must be present, or by proxy, at least a majority of current Board members (people sitting on the Board). Current vacancies on the Board are not to be counted in a quorum calculation (e.g., a seven-member board having only three of its seven slots filled, would have a quorum with at least two of those three current members being present). A majority of votes cast shall decide all issues.
4. In the event the Chair is absent from a scheduled meeting, the Vice Chair shall preside over and conduct the meeting. In the event both the Chair and Vice Chair are absent from a meeting at which a quorum of the Guardians Board is present, the members present shall appoint a temporary Chair for the sole purpose of presiding over and conducting said meeting. The temporary Chair so appointed shall have no other powers or authority generally reserved in these Articles for the elected Chair.

VI. COORDINATOR

1. **Supervision:**
The Coordinator shall be under the direct supervision of the Board of Commissioners.
2. **Function:**
 - (a) The Coordinator serves as the principal executive staff person for the Guardians Board. The Coordinator will conduct initial screenings and investigations of potential Wards, resulting in recommendations to the Guardians Board. The Coordinator will provide technical and responsible administrative assistance to the Guardians Board, with duties including but not limited to: managing, directing, and accomplishing the day-to-day clerical operation of the Guardians Board; creating agendas, attending and preparing minutes of the Guardians Board; assisting in recruiting and training Volunteer Companions and Guardians Board Members; monitoring activities of Volunteer Companions and Guardians Board Members to ensure compliance with established standards of conduct and state law; and ensuring that the Guardians Board fulfills its duty in submitting timely annual reports to the Court and to the Board of Commissioners.
 - (b) In absence of the Chair's immediate signature, the Coordinator is authorized to sign, as agent of the Board, or as agent of the Board of Commissioners, as the case may be, all necessary legal documents needed by the courts.
 - (c) Findings, conclusions, or decisions typically made by Board pursuant to this policy may be made by the Coordinator – including, but not limited to, the acceptance of a ward's application – when the Board is not scheduled to meet within the next seven days from when the Coordinator deems a decision needs to be made; or anytime when the Board has five or more vacancies. Any "Board" decision made by the Coordinator pursuant to this paragraph shall be reviewed by the Board at the next meeting when it will have at least three sitting members present, or by the Board of Commissioners, whichever can happen sooner.
 - (d) The Coordinator may also fulfill the role of Volunteer Companion when the need arises.
 - (e) The Coordinator should, at least once quarterly, make face-to-face contact with all Wards overseen by the Guardians Board.

VII: REFERRALS:

Referrals shall be initiated with a completed Referral Form and Physician's Affidavit which shall be submitted to the Office of the Coordinator, located at 300 North Lincoln, Room 201, Jerome, Idaho, by dropping off the form in person; mailing it to the office of Veterans Services/Board of Community Guardians at the above address; or by sending it facsimile transmission: (208) 644-

2797. Referral forms are available on the Jerome County Website: www.jeromecountyid.us; or by requesting it from the Coordinator at (208) 644-2708.

VIII: REFERRAL INVESTIGATION

1. Coordinator's Review.
 - (a) The Coordinator shall review and screen all referrals for the purpose of determining sufficient information has been give so as to allow a decision to be made by the Guardians Board.
 - (b) Upon finding sufficient information has been provided, the Coordinator shall then investigate:
 - (i) All facts and circumstances set forth in the referral to ensure its accuracy.
 - (ii) Whether the potential Ward is in need of guardianship and if so, that there is in fact no person or corporation qualified and willing to act in such capacity.
 - (iii) The availability of a qualified person who is willing to serve as Volunteer Companion over the potential Ward. If such a person is located, but he/she is not a Board Volunteer Companion, the Coordinator shall provide such person with an application to become one.
 - (iv) A reasonable attempt to obtain medical and financial documents regarding the proposed Ward.
 - (c) At the conclusion of the investigation, the Coordinator shall review the decision criteria and present the matter to the Guardians Board if such criteria is met.
2. Decision by Guardians Board:

Upon being presented an application by the Coordinator, the Guardians Board shall decide:

 - (a) As to whether the potential Ward is incapacitated as set forth under Idaho Code Section 15-5-101, *et. al.*
 - (b) Whether there are any family members or other persons who can serve as guardian.
 - (c) Whether appropriate shelter, healthcare, clothing, and food is available to, or being provided to, the potential Ward by some other source.
 - (d) Whether the potential Ward has any assets available to him.
 - (e) Whether the potential Ward has any criminal proceedings currently being held against him/her.
 - (f) Whether the potential Ward has any legal, social, personal, and/or economical needs such that they exceed the Board's ability to provide those needs.
 - (g) Whether the potential can be safely, effectively, and responsibly supervised by the Guardians Board.
 - (h) Whether the potential Ward is likely to suffer substantial harm if not accepted by the Guardians Board.
3. The Guardians Board should accept an application if, after its review, it finds: the needs of the potential Ward are currently not being met; the Board has the ability to safely, effectively, and responsibly satisfy those needs; and/or if the potential Ward is likely to suffer substantial harm if not accepted by the Guardians Board.
4. An application shall be approved if a majority of the Guardian Board, in which the application was brought, vote in favor of the application and find the above criteria to have been met. The vote shall be reflected in the minutes, which shall be taken at all Guardians Board meetings.
5. If an application is denied, the Guardians Board should refer the applicant elsewhere and assist the applicant in contacting other sources available to him/her.
6. If the Guardians Board finds the applicant to be developmentally disabled, as such is defined by Idaho Code, it should decline the application and refer the applicant to the Idaho Department of Health and Welfare.
7. A request for reconsideration of the Board's decision to deny an application may be made in writing to the Coordinator. It shall include any information regarding the proposed Ward's situation not previously presented, and/or an explanation or clarification on any aspect of the case where it is believed the Board had previously viewed or interpreted such aspect incorrectly. The Coordinator shall conduct an investigation of the request to reconsider and determine if there is substantially new information and/or if there is an aspect of the case initially viewed or interpreted incorrectly. If the Coordinator finds in the

affirmative, he/she shall notify the Board of the request for reconsideration and of his/her findings. Upon such notification, the Board shall reconsider the application.

IX. ACCEPTED APPLICATIONS

1. Upon an application being approved and the Ward accepted by the Guardians Board, it, along with the Coordinator and assigned Volunteer Companion, shall manage the case as designed. The Board may, in its discretion, choose another representative or Volunteer Companion at any time.
2. The Coordinator will inform the prosecutor's office of the approved application and shall provide such office with a copy of the file, which shall include the name of the Volunteer Companion; the name of the physician performing the Ward's examination and giving an explanation of incapacity; the name of the Court Visitor; the name of the attorney representing the prospective Ward; and a form entitled, *Acceptance of Permanent Appointment by Guardian*, signed by the Coordinator.
3. Upon obtainment of all the necessary information, the prosecutor's office shall file an appropriate petition, along with all other necessary paperwork.
4. The prosecutor's office will provide the Coordinator with copies of all filed paperwork and will notify him/her of hearing dates and deadlines.
5. Upon the court approving the petition, all necessary paperwork, including certified copies of Letters of Guardianship, shall be obtained by the prosecutor and delivered to the Coordinator.

❖ **Executive Session:** 4:20 P.M. - A Motion was made by Commissioner Crouch to go into executive session per Idaho Code 74(206)(1)(b), personnel. It was seconded and carried with a unanimous roll call vote.

4:30 P.M. – Return to open session.

READ AND APPROVE MINUTES

❖ A Motion was made by Commissioner Howell to approve the minutes of February 6 as amended. It was seconded and carried with unanimous ayes. The fifth paragraph on Page 9 was amended to read: *Commissioner Crouch mentioned that the building Embrace Recovery had used was available.*

INDIGENT MATTERS

There were no indigent matters for approval.

Meeting recessed at 4:47 P.M.

Respectively submitted:

BOARD OF COMMISSIONERS

Jane White, Deputy Clerk

A. Ben Crouch, Chairman

John Crozier, Commissioner

Charles M. Howell, Commissioner