

BOISE COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 25th, 2013
BOISE COUNTY COMMISSIONER'S ROOM
OFFICIAL MEETING MINUTES

In attendance: Chair Balding, Commissioner Anderson, Commissioner Wilkins, Prosecutor Gee, Sheriff Roeber, Assessor Adamson, Clerk Prisco, Chief Administrator Woodstrom.
Chair Balding called the meeting to order at 9:00 a.m. and the Pledge of Allegiance was recited.

COMMISSIONER DISCUSSION/COMMITTEE REPORTS: Commissioner Wilkins did not have any items for discussion. Commissioner Wilkins attended the West Central Highlands meeting in McCall.

Commissioner Wilkins attended the Threat & Hazard Identification Response Assessment (THIRA), which was well attended by County Commissioners from Valley, Adams, Payette, Owyhee, Elmore and Washington counties.

Commissioner Anderson discussed issues with the phone system in Idaho City.
Commissioner Anderson attended a meeting in Garden Valley, which was held by Assessor Adamson, regarding the assessment valuation appeal process.

Commissioner Balding requested a key to the front door of the Miner's Exchange Building.
Chair Balding discussed I.C. 31-818 regarding the Boards authority to appoint staff or an administrator.

AMENDMENTS TO THE AGENDA: Commissioner Wilkins made a MOTION to amend the agenda for an OER (Office of Energy Resources) A-133 Certification, which needs to be signed today, during the Contracts/Agreements/Grants time. Commissioner Anderson SECONDED. Roll call vote: Commissioner Wilkins-aye; Chair Balding-aye; Commissioner Anderson-aye. Motion passed unanimously.

MINUTES: Commissioner Wilkins made a MOTION to table the minutes until Miscellaneous & Correspondence time. Chair Balding SECONDED. Roll call vote: Commissioner Wilkins-aye; Chair Balding-aye; Commissioner Anderson-aye. Motion passed unanimously.
Commissioner Anderson made a MOTION to approve the official meeting minutes of June 14th, 2013. Chair Balding SECONDED. Roll call vote: Commissioner Wilkins-aye; Chair Balding-aye; Commissioner Anderson-aye. Motion passed unanimously. Commissioner Wilkins made a MOTION to approve the Boise County Board of County Commissioners, June 17th, 2013 official meeting minutes, with corrections. Chair Balding SECONDED. Roll call vote: Commissioner Wilkins-aye; Chair Balding-aye; Commissioner Anderson-aye. Motion passed unanimously.

DEPARTMENTAL ISSUES: Commissioner Wilkins made a MOTION to approve a change order for the Boise County Public Safety Building, the contractor is RC Hayes, the engineers are Forsgren & Associates, on Project #02-11-0135. Commissioner Anderson SECONDED. Roll call vote: Commissioner Wilkins-aye; Chair Balding-aye; Commissioner Anderson-aye. Motion passed unanimously.

P&Z Interim Administrator, Rora Canody, handed out the UDO timeline and stated the next meeting would be July 18th.

Ms. Canody asked about procedures concerning an out of state property owner and that they are asking to do a lot line vacation. Ms. Canody asked if the Board would accept a letter being read from them or other form of testimony. Commissioner Wilkins stated that the Board would like to have a notarized affidavit or to have the owner on the phone as an option as well.

P&Z Interim, Rora Canody, spoke about the Thursday night P&Z Commission meeting. Ms. Canody stated that the CUP fees still not set. Commissioner Anderson spoke about the CUP fees amount for Valley of the Pines. The Board stated the resolution is still being reviewed but will get the information to Ms. Canody. Commissioner Wilkins discussed the Valley of the Pines fee amount. Commissioner Wilkins made a MOTION to have the Valley of the Pines (Fire Department) pay a fee of \$400 for the CUP for their building. Commissioner Anderson SECONDED. Roll call vote: Commissioner Wilkins-aye; Chair Balding-aye; Commissioner Anderson-aye. Motion passed unanimously.

Commissioner Anderson stated that Chair Balding asked about land use procedures during the hearing process. PA Gee spoke to the procedure and that it would follow similar procedures of the P & Z hearings; hear the information, deliberate and make final decision next week.

Assessor Adamson spoke about exemptions. The Board stated that this discussion was not agendized so the Board will hear it but not make a decision. The Board stated that the next meeting is July 2nd and to put this item on the agenda.

Clerk Prisco gave an update on the OER (Office of Energy Resources) certification. Commissioner Anderson spoke about who the contact people are for the EECGB Grant and that the Clerk is the contact for all financial items of this grant. Chair Balding stated the Clerk should sign the certification and that it will be addressed during contracts. Chair Balding asked Clerk Prisco how it is going with meeting with departments for their budgets. Clerk received an email from Seth Griggs at IAC regarding PILT and SRS funding for next year.

Commissioner Anderson spoke about an agreement with LHTAC. Commissioner Wilkins stated she received her information from an email from the Road Department. Commissioner Anderson stated the Board needs to sign the agreement today. Prosecutor Gee gave his input concerning an opinion from the Attorney General. Prosecutor Gee stated that funds need to be appropriated. Clerk Prisco recommended that the LHTAC agreement be addressed and signed during the Prosecutor's time.

CONTRACTS/AGREEMENTS/GRANTS: Chair Balding made a MOTION for the Clerk to sign the A-133 Certification of the Energy Efficiency Grant report. Commissioner Anderson SECONDED. Roll call vote: Commissioner Wilkins-aye; Chair Balding-aye; Commissioner Anderson-aye. Motion passed unanimously.

DEMAND WARRANTS: Commissioner Wilkins made a MOTION to approve Boise County Noxious Weeds Department ARRA demand warrant for reimbursement of the superintendent and administrative salaries, in the amount of \$1,045.52. Chair Balding SECONDED. Roll call vote: Commissioner Wilkins-aye; Chair Balding-aye; Commissioner Anderson-aye. Motion passed unanimously.

Commissioner Wilkins made a MOTION to approve the ARRA demand warrant to Norco for aprons and safety glasses in the amount of \$33.62. Chair Balding SECONDED. Roll call vote: Commissioner Wilkins-aye; Chair Balding-aye; Commissioner Anderson-aye. Motion passed unanimously.

Commissioner Wilkins made a MOTION to table the demand warrant to Tom Blessinger for the SouthFork Payette Bridge ROW, in the amount of \$375, until we receive another response from him. Chair Balding SECONDED the motion. Roll call vote: Commissioner Wilkins-aye; Chair Balding-aye; Commissioner Anderson-aye. Motion passed unanimously.

INDIGENT: Commissioner Wilkins made a MOTION to go into executive session per I.C. 67-2345(1)(d) to discuss cases 13-05-D and 13-05-C, and the resolution for non-medical assistance

protocol and general information. Chair Balding SECONDED. Roll call vote: Commissioner Wilkins-aye; Chair Balding-aye; Commissioner Anderson-aye. Motion passed unanimously. Commissioner Wilkins made a MOTION to approve case 13-05-D. Commissioner Anderson SECONDED. Roll call vote: Commissioner Wilkins-aye; Chair Balding-aye; Commissioner Anderson-aye. Motion passed unanimously. Commissioner Wilkins made a MOTION to approve and sign the letter to the provider on case 13-05-C. Commissioner Anderson SECONDED. Roll call vote: Commissioner Wilkins-aye; Chair Balding-aye; Commissioner Anderson-aye. Motion passed unanimously. Chair Balding made a MOTION that the non-medical resolution be agendized next week, with corrections made. Commissioner Anderson SECONDED. Roll call vote: Commissioner Wilkins-nay; Chair Balding-aye; Commissioner Anderson-aye. Motion passed.

BILLS: Commissioner Wilkins made a MOTION to approve the bills as presented today, June 25th, 2013. Chair Balding SECONDED. Roll call vote: Commissioner Wilkins-aye; Chair Balding-aye; Commissioner Anderson-aye. Motion passed unanimously.

General Fund	\$	27,112.08	Solid Waste	\$	28,783.63
Road & Bridge	\$	11,242.21	Tort	\$	8,707.00
Justice Fund	\$	11,502.69	E911	\$	6,839.93
EBCA	\$	1,651.31	Weeds	\$	1,780.01
District Court	\$	7,548.28	Sheriff's Reserves	\$	2,145.28
Indigent	\$	379.17	Sheriff's Vessel	\$	491.19

P.A. ISSUES: Prosecutor Gee spoke about the information that Fish & Game proposed for the Alder Creek ROW. It was clarified that the road is called Banks/Lowman Road (used to be Hwy 17).

Mr. Gee discussed toll roads and gaming as positive revenue funding.

Commissioner Wilkins made a MOTION to go into executive session under I.C. 67-2345(1)(f), pending litigation and 67-2345(1)(b) personnel. Chair Balding SECONDED. Roll call vote: Commissioner Wilkins-aye; Chair Balding-aye; Commissioner Anderson-aye. Motion passed unanimously.

Commissioner Wilkins made a MOTION to give direction to Prosecutor Gee to draft a letter. Chair Balding SECONDED. Roll call vote: Commissioner Wilkins-aye; Chair Balding-aye; Commissioner Anderson-aye. Motion passed unanimously.

CONSTITUENT INPUT: Holly Call, 407, 409 and 411 Main St. Idaho City, discussed an issue with street addresses in Idaho City and the recognition of those addresses by the Post Office. Commissioner Anderson will follow up with Sheriff Roeber on the E911 system and how it may affect the situation.

PUBLIC HEARING – CONSER LOT LINE VACATION: Interim P&Z Administrator, Rora Canody, introduced the matter of Cecil Conser's lot line vacation request. Cecil Conser, Garden Valley, presented information on the matter, the crux being that the septic and well are located on one lot, while the home is located on the other lot. Ms. Canody presented the P&Z Department Staff Report to the Commission for parcel numbers RP054020000300A and RP054020000310A. Commissioner Anderson noted that a correction needed to be made to the Staff Report; "Idaho Transportation Department" should be "Idaho Power". Additionally, Commissioner Anderson requested that the FCO's on the matter include information on the variance in road right-of-way for any future owners. Commissioner Wilkins, via questions to the applicant and staff, clarified that the subdivision does not have an active homeowners association nor is it a County road. Chair Balding closed the public hearing and opened the regular meeting. Commissioner Anderson made a MOTION to approve the lot line vacation to combine lots 30 and 31 in the Pine Tree Ranch #2 Subdivision, subject to the final written order, including the conditions and facts included in Ms.

Canody's Staff Report and that the applicant shall present to the P&Z office, prior to recording, the following: Record of Survey (Mylar) showing the new one lot boundary, a reduced copy of the Record of Survey, a deed from the owner to the owner with the new legal description for the new one lot and proof from the Boise County Treasurer that all property taxes be paid to date. Commissioner Wilkins SECONDED. Roll call vote: Commissioner Wilkins-aye; Chair Balding-aye; Commissioner Anderson-aye. Motion passed unanimously.

PUBLIC HEARINGS – Parking Along Public Roadways and Fighting in a Public Place

Ordinances: Chair Balding recessed the regular meeting and reconvened to hold public hearings for the Parking Along Public Roadways Ordinance and the Fighting in a Public Place Ordinance. Prosecutor Gee presented information on the draft parking ordinance, including addressing an older parking ordinance of the County. The ordinance, once passed, will require the County to place signs notifying the public of the parking law. Constituent Oscar Baumhoff spoke about the history of the matter and that the same issues were not present during the time period of the original ordinance. Chair Balding closed the public hearing and reconvened the regular meeting. Commissioner Wilkins made a MOTION to instruct Prosecutor Gee to draft an ordinance that concerning parking along public roadways that will incorporate Ordinances 81-06 and 81-07, into one ordinance, for public hearing, in cooperation with the Clerk's office. Chair Balding SECONDED. Roll call vote: Commissioner Wilkins-aye; Chair Balding-aye; Commissioner Anderson-aye. Motion passed unanimously.

Notice for public hearing on revised ordinance – summary form only and notify the public in the paper and the website, that the draft ordinance would be available from the Clerk's Office.

Chair Balding closed the regular meeting and opened the public hearing for the draft ordinance for Fighting in a Public Place. Prosecutor Gee and Sheriff Roeber presented information on the draft ordinance to the Commission. Chair Balding closed the public hearing and reconvened as the regular Board of Commissioners. Commissioner Wilkins made a MOTION to pass Ordinance 2013, an ordinance concerning fighting in public, with the number to be determined and with the Chair's name to be corrected, and to go into effect upon publication. Commissioner Anderson SECONDED. Roll call vote: Commissioner Wilkins -aye; Commissioner Anderson-aye; Chair Balding-nay. Motion passed.

Commissioner Wilkins made a MOTION to recess. Chair Balding SECONDED the motion. All ayes; motion passed.

CUMO MINE PROJECT BRIEFING: Chair Balding welcomed the CuMo Mine project team to the meeting: Noelle Lovern of Peyron & Associates, John Moeller of Forsgren & Associates and Shaun Dykes, CEO of American CuMo Mining. Shawn Dykes introduced himself and provided his background information to the Commission. Prior projects include: mining operations on Vancouver Island, British Columbia and a gold mine in the northwest corner of British Columbia and the Alaska state border. The project is going into development mode, which is about a 3 year process, and the cost is estimated to be \$100 million, 70% of which is related to environmental issues. Currently they are in negotiations with potential investors throughout the world working towards obtaining funding for the work. Mr. Dykes discussed "scaling": the benefit is to be able to survive the ups and downs of economy (boom or bust). John Moeller briefly reviewed the history of the mining operations, Environmental Assessment filed, legal appeal of the E.A. and Judge Lodge ruling on ground water impact. Noelle briefly discussed some of the upcoming outreach programs that will be implemented at the elementary schools plus working with high schools on employment opportunities in the mining industry.

MISCELLANEOUS & CORRESPONDENCE:

- Bill Jones, Road Department, presented information on a PS-150C (roller) and options for purchasing the equipment or entering into a new lease. Several options were discussed.
- Commissioner Anderson made a MOTION to participate in the State and Local Agreement for pavement and sign data, Project #013607, Key #13607 and include with that, the 7.34% match, estimated match of \$2,202.00 and include payment of the match, to the Idaho Transportation Department, at this time. Chair Balding SECONDED. Roll call vote: Commissioner Wilkins -aye; Commissioner Anderson-aye; Chair Balding-aye. Motion carried.
- Commissioner Wilkins made a MOTION to approve the request for compensation time payout (for an employee of the Road Department) and make a demand payroll payment for it. Commissioner Anderson SECONDED. Roll call vote: Commissioner Wilkins -aye; Commissioner Anderson-aye; Chair Balding-aye. Motion carried.
- John Roberts presented the open items for the mass gathering application for Rock the Mountain, August 8th – 10th, 2013. The matter was tabled until a date to be determined.
- The Board reviewed and discussed a letter from the USFS Emmett Ranger District. Commissioner Anderson stated she would draft a response letter and send to the Clerk's office for finalization of the draft for signature.
- An IAC unemployment letter regarding a dividend was discussed and it was determined to leave excess funds in the account. Commissioner Wilkins made a MOTION to sign the letter to Amanda Pendelton, IAC Financial Officer, to leave the funds for Boise County, in the unemployment account, in the amount of \$12,000, as previously discussed. Chair Balding SECONDED. Roll call vote: Commissioner Wilkins -aye; Commissioner Anderson-aye; Chair Balding-aye. Motion passed unanimously.
- Commissioner Wilkins made a MOTION to sign the ordinance for Fighting in a Public Place. Commissioner Anderson SECONDED. Roll call vote: Commissioner Wilkins -aye; Commissioner Anderson-aye; Chair Balding-aye. Motion passed unanimously.
- Commissioner Wilkins made a MOTION to approve Boise County Resolution 2013-42, to surplus the Community Justice trailer in Horseshoe Bend. Chair Balding SECONDED. Roll call vote: Commissioner Wilkins -aye; Commissioner Anderson-aye; Chair Balding-aye. Motion passed unanimously.
- Commissioner Wilkins made a MOTION to approve Boise County Resolution adjusting the FY 2013 Noxious Weeds budget, Resolution 2013-43, in the total amount of \$109,753.00, for ARRA. Chair Balding SECONDED. Roll call vote: Commissioner Wilkins -aye; Commissioner Anderson-aye; Chair Balding-aye. Motion passed unanimously.
- Commissioner Wilkins made a MOTION to table the Certificate for Residency Affidavit for Mr. Heck, for further information. Chair Balding SECONDED. Roll call vote: Commissioner Wilkins-aye; Commissioner Anderson-aye; Chair Balding-aye. Motion passed unanimously.
- Commissioner Wilkins made a MOTION to approve the Certificates of Residency Affidavits for B. Messia, R. Gilbertson, G. McDonald, I. Reddix, R. Hiller, M. Pyorre, B. Miller and D. Marks. Commissioner Anderson SECONDED. Roll call vote: Commissioner Wilkins -aye; Commissioner Anderson-aye; Chair Balding-aye. Motion passed unanimously.

FUTURE AGENDA TOPICS REVIEW:

- Board of Equalization - July 1ST, 2013, 1 -5 p.m.
- Assessor's presentation of exemptions – July 2nd, 2013.
- Crouch Bridge ROW, executive session, TBD.
- Indigent Nonmedical Assistance Policy – July 2nd, 2013.

Commissioner Wilkins made a MOTION to recess the meeting until July 1st, 2013. Chair Balding SECONDED. All ayes; motion passed.

Approved this 9th day of July, 2013.

BARBARA M. BALDING, Chair
Boise County Board of Commissioners

Attest:

MARY T. PRISCO, Clerk to the Board