

BOISE COUNTY BOARD OF COMMISSIONERS
MONDAY, DECEMBER 14TH, 2009
BOISE COUNTY COMMISSIONER'S ROOM
OFFICIAL MEETING MINUTES

Chairperson Linda W Zimmer called the meeting to order at 11:00 A.M. The Pledge of Allegiance was recited.

PRESENT: Chairperson Linda W Zimmer, Commissioners Terry C Day and Jamie A Anderson and Clerk Constance Swearingen

OTHERS PRESENT: Assessor Brent Adamson and Chief Deputy Clerk Dee Woodstrom

COMMISSIONER DISCUSSION: Chairperson Linda W Zimmer spoke about an email she had received from Steve Rule concerning repealing the current Idaho Law on emissions standards.

Chairperson Linda W Zimmer stated she had received a bill from Attorney Brassey's office.

Commissioner Jamie Anderson asked the Board if it was alright to send a letter in support of the Garden Valley FM radio station. The Board agreed to send a letter of support.

Commissioner Terry C Day stated that Cecil Dallman, Road Superintendent, ITD, Idaho City area, had retired and stated that the County should send him a thank you for his many years of service.

AMENDMENTS TO THE AGENDA: Commissioner Terry C Day requested a change of the wording on the 3:00 p.m. agenda item from the word, "Decision" to "Discussion," concerning the draft ordinances on Building Codes, Wildland Urban Interface (WUI) and Flood Plan. Deputy Prosecutor Cheresse McLain stated that the final draft of the WUI was not ready and would not be discussed.

The Board requested the addition of the Branch Estates FCOs to the Contracts section of the agenda. Chairperson Linda W Zimmer made a MOTION to approve the amendments. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

MINUTES: Clerk Swearingen presented the meeting minutes for November 16th, 2009. Commissioner Terry C Day made a MOTION to approve the November 16th minutes. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

TREASURER/ASSESSOR ISSUES: Assessor Brent Adamson presented four requests for tax cancellation. Commissioner Terry C Day made a MOTION to approve all requests for tax cancellation. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

Assessor Adamson spoke about the City of Idaho City ESCO letter and stated that he would address the issue.

COMMITTEE REPORTS: Commissioner Terry C Day stated he had met with Patti Burke, P&Z Administrator, and the architect concerning the old library building. Commissioner Day stated he had also attended the EBCA Advisory Board meeting.

Commissioner Terry C Day stated he had met with Chuck Morgan and Jan Blum concerning the Robie Creek fence issue.

Commissioner Jamie Anderson stated she attended the Crouch City Council meeting where they had talked about water grants.

Chairperson Linda W Zimmer stated she had attended the Adult and Children's Mental Health meetings, the Woody Biomass meeting and the Scenic Byway meeting where they are working on making Highway 52 a scenic byway.

CONTRACTS/AGREEMENTS/GRANTS: Commissioner Jamie Anderson spoke about the Energy Efficiency Grant application and stated that she had expanded the grant application to include updating the heating and cooling systems of sixteen buildings within Boise County. She stated that the application was geared towards maintaining historical buildings and local partnerships as a means to securing funding. She stated that all entities included in the application had provided letters of support. Commissioner Anderson also spoke about a state grant that she would like to apply for in the near future to offset what wouldn't be funded through the Energy Efficiency Grant.

Chairperson Linda W Zimmer made a MOTION to approve both State and Federal Energy Efficiency Grant applications. Commissioner Terry C Day SECONDED. All ayes, motion carried. Commissioner Jamie Anderson made a MOTION to have Chairperson Linda W Zimmer sign the grant applications. Commissioner Terry C Day SECONDED. All ayes, motion carried.

The Board reviewed and signed the Branch Estates FCOs. The Board discussed having a timeline on approvals and signing the FCOs.

DEMAND WARRANTS: Clerk Swearingen presented demand warrants to pay J-U-B Engineering (\$851.86) and Holladay Engineering (\$739.05). Chairperson Linda W Zimmer made a MOTION to approve the demand warrants. Commissioner Terry C Day SECONDED. All ayes, motion carried.

INDIGENT - EXECUTIVE SESSION per I.C. 67-2345(1) (d): Nothing was presented.

MISCELLANEOUS & CORRESPONDENCE:

- Resolution 2010-18 Old Mores Creek Ambulance surplus sale to Boise County Firefighters. Commissioner Terry C Day made a MOTION to approve the resolution. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.
- Resolution 2010-17 Extension of Land Use Applications – Commissioner Terry C Day made a MOTION to approve the resolution. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.
- Hardship application from Robert Hastie – Commissioner Terry C Day made a MOTION to deny the hardship. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.
- Warm Springs Resort extension letter – email from P&Z Administrator Patti Burke.
- City of Crouch & City of Horseshoe Bend area of impact letters – Deputy Prosecutor Cheresse McLain gave an update.
- The Board stated that there would be a meeting on December 28th but not on January 4th.

PA ISSUES: Commissioner Terry C Day made a MOTION to go into executive session per I.C. 67-2345(1)(f), pending litigation regarding Prosecutor Twilegar's position and possible litigation of Boise Basin School District and the Prosecutor's office. Commissioner Jamie Anderson SECONDED. Roll Call Vote: Commissioner Terry C Day – Aye; Chairperson Linda W Zimmer – Aye; Commissioner Jamie Anderson - Aye. Motion carried.

SOLID WASTE 2010 WHEEL LOADER BID AWARDS: Chairperson Linda W Zimmer called Solid Waste Supervisor Mike Bottoms to discuss the awarding of the bid. Commissioner Terry C

Day made a MOTION to accept the Western Caterpillar bid. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

BILLS: Clerk Swearingen presented the bills as follows:

General Fund	\$ 117,045.68	Weeds	\$ 50.60
Justice Fund	\$ 15,113.41	District Court	\$ 7,257.73
Road & Bridge	\$ 22,346.89	EBCA	\$ 8,383.58
Emergency 911	\$ 3,319.70	Revaluation	\$ 531.98
Snowmobile GV8-B	\$ 2,117.43	Snowmobile IC8-A	\$ 593.45
		Solid Waste	\$ 30,716.45

Chairperson Linda W Zimmer made a MOTION to approve the bills. Commissioner Terry C Day SECONDED. All ayes, motion carried.

INDIGENT HEARING: Chairperson Linda W Zimmer made a MOTION to go into executive session per I.C. 67-2345(1)(d) to discuss case 09-08-A. Commissioner Jamie Anderson SECONDED. Roll Call Vote: Commissioner Terry C Day – Aye; Chairperson Linda W Zimmer – Aye; Commissioner Jamie Anderson - Aye. Motion carried.

The Board postponed case 09-08-A, for no more than 45 days, for lack of documentation according to Idaho Code 31-3505E.

BUILDING CODES, WUI & FLOOD PLAN DECISION: *The agenda item title was changed from the word, "Decision" to "Discussion" per Commissioner Terry C Day during the "Amendment to the Agenda" portion of today's meeting.*

The Board discussed the building permit application process and Deputy Prosecutor Cherese McLain presented handouts for review. Ms. McLain stated there were two different types of building permits; non-mandatory (basic) or upgrade (regular). Deputy Prosecutor McLain spoke about the building permit application and suggested changes for the application. The Board requested that the changes be reviewed by all entities involved.

Deputy Prosecutor Cherese McLain stated that she would have a draft of the Wildland Urban Interface and the second draft of the Building Codes Ordinance to the Board by December 28th. Deputy Prosecutor McLain stated that the second draft of the flood plan was available.

Commissioner Terry C Day made a MOTION to recess the meeting and reconvene in Horseshoe Bend that evening. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

The Boise County Commissioners meeting was reconvened at 6:32 PM in Horseshoe Bend. Commissioner Jamie Anderson was not in attendance for the evening meeting.

M3 COMPANIES: Mark Tate from MP3, a real estate development company, did a Powerpoint presentation on his company's interest in future development in Boise County. He stated that MP3 was interested in swapping land in Boise County in order to secure property in Northern Idaho. He stated that he was only currently informing and educating local officials on what was being proposed and further stated that the whole process could take years and that it would be dependent upon getting legislation passed. Mr. Tate also stated that he believed that the swap would result in better management of the subject lands and improved access to recreationalists.

EMPLOYMENT STATUS – PROBATION OFFICER: Clerk Conni Swearingen presented the Board with the results of the payroll/timesheet research that Deputy Clerk Michelle Armfield had done. Ms. Swearingen stated that Kevin Burke had been incorrectly classified as an “exempt” employee since his hire date with Boise County and was now correctly classified. She further stated that the documentation showed that Mr. Burke had earned a substantial amount of comp time he had never gotten credit for and was also owed vacation and sick leave.

Clerk Swearingen stated that this issue would be on the following week’s agenda; however, she wanted to give the Board time to consider a solution to the problem. She further stated that JPO Kevin Burke would be in attendance next week to answer questions.

ID DEPT. OF LANDS: Steve Elam and Scott Rennick, Idaho Department of Fish and Game, were in attendance to answer questions about the surplus and sale of the property in Gardena. Mr. Elam stated that approximately one year ago, the Department of Fish and Game had surplused the property. He stated that the land had been designated primarily for hunting and fishing access, but had been under-utilized by the public, which resulted in its being surplused. Mr. Elam stated that they had been directed to dispose of the property through the Idaho State Land Board which had been done. He stated that just prior to the public auction, Fish and Game had learned of Boise County’s interest in the property.

Mr. Elam stated that Boise County had the first right of refusal and could purchase it; however, because of significant reductions in State revenue, Fish and Game needed to sell the property at the appraised value of \$125,000. Chairperson Zimmer stated that the County’s concern was access to the water from the Payette River for the County Road and Bridge Department and local fire departments.

Chuck Morgan, Assistant Supervisor, Boise County Road and Bridge Department, also voiced his concern about losing access to the river. He also stated that the public would lose their access and proper notice had not been given to the public. He further stated that if Boise County was unable to purchase the property that the County would need an easement to access the water.

After considerable discussion, the Board decided to draft two letters: 1) to the Idaho State Land Board to stay its decision to auction off the Gardena property; and 2) to the Idaho Fish and Game Department to reconsider its decision to surplus the property, citing Boise County and public access to the Payette River and health and safety concerns.

CONSTITUENT INPUT: Conversation continued about the Gardena property.

FUTURE AGENDA TOPICS REVIEW: The Board stated that they would have a meeting on December 28, 2009 but no meeting on January 4, 2010.

Having no further business, Chairperson Linda W Zimmer adjourned the meeting until 9:00 AM, December 21ST, 2009.

Approved this 19th day of January, 2010.

TERRY C. DAY, Chairman

Attest:

Constance Swearingen, Clerk to the Board