

**BOISE COUNTY BOARD OF COMMISSIONERS  
MONDAY, JULY , 2009  
OFFICIAL MINUTES**

Chairperson Linda W Zimmer called the meeting to order at 12:00 P.M. The Pledge of Allegiance was recited.

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

**OTHERS PRESENT:** Assessor Brent Adamson, Treasurer Barbara Balding, Deputy PA Cherese McLain and Deputy Clerk Dee Woodstrom

**COMMISSIONER DISCUSSION:** Commissioner Terry C Day spoke about the public hearing process.

Commissioner Jamie Anderson asked if the Wildland Urban Interface ordinance referenced all homes or just subdivisions.

Commissioner Anderson spoke about the public hearing sign in sheets. She also suggested adding written comment verbiage to the proposed resolution on public hearings. Commissioner Anderson stated she had received phone calls concerning the personal time off (PTO) issue.

**AMENDMENTS TO THE AGENDA:** Commissioner Terry C Day stated that he wanted to discuss a potential litigation case during the Prosecuting Attorney's executive session.

Clerk Swearingen stated she would like to provide a report on the building committee meeting.

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 June . Commissioner Terry C Day made a MOTION to approve the minutes for June as amended. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

**TREASURER/ASSESSOR ISSUES:** Assessor Brent Adamson provided the Board information and statistics on the 2009 Board of Equalization process.

Treasurer Barbara Balding provided a synopsis of the County's finances and investments. She stated that the State Pool was now charging .022% in fees. Treasurer Balding further stated that interest on the local government pool was .5265% and that the diversified bond interest rate was 3.9475%.

Treasurer Balding presented the Joint Quarterly Treasurer/Auditor report for review. Commissioner Jamie Anderson made a MOTION to approve the report. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

**COMMITTEE REPORTS:** Commissioner Terry C Day stated that he had attended the Woody Biomass meeting where they had discussed setting the next year's budget. He stated that the partnership had major concerns about how they would be funded in 2010 because the financial support from private industry was sorely lacking.

Commissioner Jamie Anderson stated she had attended the District III meeting.

Chairperson Linda W Zimmer stated she had attended the Children's Mental Health meeting and the District III meeting.

Clerk Swearingen spoke about the building committee meeting where they discussed the floor in the Miner's Exchange boiler room, the roof on the Public Safety building and space restrictions in the Assessor's and Clerk's offices.

**ISSUE TRACKING:** No changes or additions.

**CONTRACTS/AGREEMENTS/GRANTS:** Solid Waste Supervisor Mike Bottoms presented the contract and demand warrant for the Warm Springs Easement. Commissioner Terry C Day made a MOTION to approve the easement. Commissioner Jamie Anderson SECONDED. All ayes, motion carried. Chairperson Linda W Zimmer made a MOTION to approve the demand warrant. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

Clerk Swearingen presented the letter of intent/contract to retain Bailey & Co. to perform the 2010 County audit. She stated that Jared Zwuygart, Boise County's designated auditor, was a great resource to staff and recommended retaining the current auditing company. Commissioner Terry C Day made a MOTION to retain Bailey & Co. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

**DEMAND WARRANTS:** Clerk Swearingen presented five demand warrants to pay Garden Valley Senior Center (\$25 & \$30), Computer Arts (\$4,851.05), Boise County Treasurer (\$105,748.50) and Conni Swearingen (\$127.10). Chairperson Linda W Zimmer made a MOTION to approve the demand warrant for Boise County Treasurer. Commissioner Terry C Day SECONDED. All ayes, motion carried. Chairperson Linda W Zimmer made a MOTION to approve the demand warrant for Computer Arts. Commissioner Terry C Day SECONDED. All ayes, motion carried. Commissioner Terry C Day made a MOTION to approve the demand warrants for Garden Valley Senior Center. Commissioner Jamie Anderson SECONDED. All ayes, motion carried. Chairperson Linda W Zimmer made a MOTION to approve the demand warrant for Conni Swearingen. Commissioner Terry C Day SECONDED. All ayes, motion carried.

**INDIGENT:** Commissioner Terry C Day made a MOTION to go into executive session per I.C. 67-2345(1)(d). Chairperson Linda W Zimmer SECONDED. All ayes, motion carried. Deputy Clerk Vedros presented case information to the Board. Chairperson Linda W Zimmer made a MOTION to come out of executive session. Commissioner Jamie Anderson SECONDED. All ayes, motion carried. Chairperson Linda W Zimmer made a MOTION to approve case 09-06-A and 08-07-B. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

**MISCELLANEOUS & CORRESPONDENCE:**

- Certificates of Residency's – tabled until July meeting.
- The Board talked about the Co-Chair or third Commissioner signing on the Chairperson's behalf. Chairperson Linda W Zimmer made a MOTION that any Commissioner can sign a legal document or letter when the Chairperson is not available. Commissioner Jamie Anderson SECONDED. All ayes, motion carried. Clerk Swearingen stated she would create a resolution on this motion.
- Gem County Fair Board fund request – tabled until next week.
- USDA Lowman Ranger District Public comment letter. Commissioner Jamie Anderson made a MOTION to send a letter of support. Commissioner Terry C Day SECONDED. All ayes, motion carried.

- USDA Boise National Forest Boise Foothills land exchange. The Board stated they would like to review the easement.

**MASS GATHERING REVIEWS:** Sergeant John Archer presented the security contract for Music in the Mountains on August & at Southfork Landing. He stated that the promoter would be hiring Boise County law enforcement for 33 hours during the event at a cost of \$1,650. Commissioner Jamie Anderson made a MOTION to approve the application with the conditions that we receive the certificate of insurance, a copy of the contract with the Crouch Ambulance and further explanation on the internal security company. Commissioner Terry C Day SECONDED. All ayes, motion carried.

Treasure Valley Family YMCA Ride Idaho, August – in Garden Valley & Idaho City. Commissioner Terry C Day made a MOTION to approve the application. Commissioner Jamie Anderson SECONDED. All ayes, motion carried. Chairperson Linda W Zimmer made a MOTION to keep the fee monies. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

**RSVP PROGRAM:** Judy Watkins spoke to the Board about the program's services and volunteers and thanked the Commissioners for their support.

**PA ISSUES:** Deputy Prosecutor Cheresse McLain spoke about I.C. 67-6509 regarding public hearings. Ms. McLain stated that the Board could adopt a new public hearing policy. The Board stated they would have the final public hearing on the Wildland Urban Interface, Flood Plan and Building Codes on August . Commissioner Jamie Anderson asked if the County had met the legal notice requirements and Deputy Prosecutor Cheresse McLain stated that the notice to the public met the legal requirements.

Chairperson Linda W Zimmer made a MOTION to go into executive session per I.C. 67-2345(1)(f), pending litigation. Commissioner Jamie Anderson SECONDED. All ayes, motion carried. Chairperson Linda W Zimmer made a MOTION to come out of executive session. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

**CONSTITUENT INPUT:** Emergency Management Coordinator Gordon Ravenscroft gave the Board a draft copy of the emergency plan.

Scott Childs, Idaho City, asked questions about the proposed project to be funded with Title III funding. Mr. Childs stated that he had concerns about law enforcement officers distributing WUI/fire pamphlets, door-to-door, and stated his belief that if an officer saw illegal activity while distributing the pamphlets, he would then be forced to uphold the law. The Board agreed that this could be an issue.

**PLANNING & ZONING:** Tim Wheeler presented the Rural Business Enterprise Grant (RBEG) to pay for a follow-up on the workshops from last fall's economic development meetings with Dick Gardner. Commissioner Jamie Anderson made a MOTION to approve the RBEG. Commissioner Terry C Day SECONDED. All ayes, motion carried.

**FUTURE AGENDA TOPICS:** The Board discussed scheduling a strategic planning meeting and trading off the Commissioner Chair position.

Clerk Swearingen spoke about the Title III money and stated that it could possibly be used for Gordon Ravenscroft's salary.

The meeting reconvened at 6:30 p.m. at the Garden Valley Senior Center.

## **PUBLIC HEARING – Wildland Urban Interface, Building Codes and Flood Plan discussion:**

Chairperson Linda Zimmer reconvened the meeting at 6:40 PM at the Garden Valley Senior Center and immediately closed the Commissioner meeting and convened the public hearing.

Chairperson Zimmer explained the public hearing process and introduced Cheresse McLain, Deputy Prosecuting Attorney. Ms. McLain provided the audience with a brief explanation of the Building Codes/Permits, Flood Plan and WUI Ordinances and explained that the County was soliciting public input. She also stated that the public could make written comments and submit to any county office before the final version was adopted.

P& Z Administrator Patti Burke first addressed the new ordinance on building codes and permits. Ms. Burke explained the differences between the new and old ordinance. She stated that currently a resident could choose not to have an inspection of his/her home done. If not done, P&Z would not issue a Certificate of Occupancy, which is oftentimes needed to secure funding on a mortgage. She went on to say that there would be no option under the new ordinance and that any building over 200 square feet would need to have a building permit. Ms. Burke also stated that the new ordinance adopted the 2006 International Building Code, with some exclusions.

Paul Spence, Garden Valley, asked if there would be an increase in the permit fee. Ms. Burke stated that there would not. Bill Roberts, Garden Valley, stated that the International Building Code was too cumbersome and complex, and that small builders could not afford to meet all its conditions. Mr. Roberts stated his preference for the Uniform Building Code.

Ms. Burke stated that the County was proposing the adoption of the 2006 International Building Code because the State of Idaho had adopted it. Ms. Burke also stated that the International Building Code had taken the place of the Uniform Building Code in Idaho.

The advisory vote from the November 2008 election stated; #1. Should Boise County adopt Building Codes? Yes or No and #2. Should Boise County amend its current multiple use zoning to allow for alternative types of zoning\*? Yes or No. \*The type of zoning and the zoning map would be determined through the Comprehensive Plan Revision Process in 2008-2009. Public meetings would be held throughout Boise County to gather citizen input. Adoption of a Zoning Map would not eliminate the current Conditional Use Permit process.

The next ordinance that was discussed was the proposed Flood Plan ordinance. Emergency Management Services Gordon Ravenscroft presented the draft plan and stated that the County was required to have a flood plan ordinance in order to secure federal funding through FEMA. He further stated that Boise County has had a flood ordinance for many years and that the proposed edition was to update it.

Mr. Ravenscroft went on to say that while Boise County doesn't have major problems with flooding, the proposed ordinance was a way to protect county roads, preserve infrastructure and ensure people building their homes safely. Mr. Ravenscroft also stated that the flood ordinance ensured that buildings were constructed out of the floodway and were properly located at the correct elevation.

Mr. Roberts asked if the new ordinance would facilitate the County receiving federal funding. EMS Coordinator Ravenscroft stated that although it was no guarantee of receipt of federal

funds, the County needed to have the ordinance to even be considered. Commissioner Anderson also stated that adopting the new flood plan ordinance would allow County residents the ability to secure cheaper flood insurance. Ms. Burke stated that we were using 1988 FEMA flood maps to define flood areas in the County. Mr. Roberts asked why we would need a flood plan ordinance living in the mountains; he stated that Boise County had never flooded. Ms. Burke stated that there had been lots of erosion resulting from heavy rainy seasons and development and a lot of damage had resulted. She stated that there had been damage to the ground, people's homes and the rivers and creeks themselves.

Paul Spence, Garden Valley, asked about set-backs. Ms. Burke stated that there would be 70-foot set-backs from rivers and 30-foot setbacks from creeks and streams.

Gary Ball, Garden Valley, stated that there had been a lot of damage from flooding on Warm Springs Road when it rains. Mr. Ball asked if development would be limited in the future; Ms. Burke stated there was no way to legally stop it but she was working on a new subdivision ordinance. Ms. McLain stated that it was the goal of the County to retain the small community feel to Boise County in future development but that goal had to be weighed against private property rights. Ms. McLain urged those in attendance to contact her office for further information.

Ms. McLain presented the Wildland Urban Interface (WUI) ordinance next and again deferred to Mr. Ravenscroft. He stated that the proposed ordinance was being done in an attempt to make the entire county defensible against wildfires and to include individual homes vs subdivisions vs commercial property. He stated that private property rights make that very difficult and that the new ordinance was only directed and applicable to new subdivisions and commercial development. Mr. Ravenscroft stated that it mandated a minimum of twelve-foot roads within subdivisions. He further stated that this was an attempt to place the cost on the developers before individual lots were sold.

Mr. Ravenscroft went on to explain that there was not enough water available to fight wildfires in the County. He stated that the ordinance proposes minimum water standards. Mr. Bill Roberts then asked about the Sheriff's deputies handing out fire literature door-to-door and using Title III funding to do so. Mr. Ravenscroft stated that the deputies were a good delivery system since they were the only county employees out and about on a daily basis. Mr. Roberts stated that the Title III funds would be better spent if it were allocated to the local fire departments around the County. P&Z Administrator Patti Burke stated that her office also hands-out fire mitigation literature and works closely with the local fire departments. Mr. Roberts ended the conversation stating that this Title III project should be reviewed carefully for appropriateness.

Having no further business, Chairperson Zimmer adjourned the meeting until 6:30 PM, July , 2009.

Approved this day of July, 2009.

**LINDA W ZIMMER**, Chairperson  
Boise County Board of Commissioners

Attest:

---

**Constance Swearingen**, Clerk to the Board