

BOISE COUNTY BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 16TH, 2009
BOISE COUNTY COMMISSIONER'S ROOM
OFFICIAL MEETING MINUTES

Co-Chair Terry C Day called the meeting to order at 12:00 P.M. The Pledge of Allegiance was recited.

PRESENT: Commissioners Terry C Day and Jamie A Anderson and Clerk Constance Swearingen

ABSENT: Chairperson Linda W Zimmer

OTHERS PRESENT: Assessor Brent Adamson, Treasurer April Hutchings, Deputy PA Cheresse McLain and Deputy Clerk Dee Woodstrom

COMMISSIONER DISCUSSION: Commissioner Jamie Anderson stated she had been interviewed by Channel 7 News about the Cuomo Mine Project. Commissioner Anderson stated that she wanted to be kept advised of what was going on with the project and further stated that perhaps a county coordinator could be designated for the project so that the County stayed involved upfront. Commissioner Terry C Day asked Commissioner Anderson if she was planning to start a committee. Commissioner Anderson stated she would get the paperwork together for this. Commissioner Day requested that this issue be discussed further during the evening portion of today's meeting, during the future agenda topic.

AMENDMENTS TO THE AGENDA: Nothing was presented.

MINUTES: Clerk Swearingen presented the meeting minutes for October 26th, 2009. Commissioner Jamie Anderson made a MOTION to approve the minutes for October 26th. Commissioner Terry C Day SECONDED. Motion passed.

TREASURER/ASSESSOR ISSUES: Assessor Brent Adamson presented two requests for tax cancellations. Commissioner Terry C Day made a MOTION to approve both tax cancellation requests. Commissioner Jamie Anderson SECONDED. Motion passed.

Assessor Adamson spoke about the present boiler situation in the Miner's Exchange Building and requested further direction from the Board.

COMMITTEE REPORTS: Commissioner Jamie Anderson gave an update on the Energy Efficiency Grant.

Commissioner Terry C Day stated he had attended the Veteran's Day dedication in Idaho City. He also stated that he had attended the EBCA Advisory Board meeting during which they had discussed a proposal from the Boise County Fire Fighters Association to purchase the old Mores Creek ambulance.

Commissioner Terry C Day stated that EBCA had voted to pay the \$1,500 fee associated with Task One of the J-U-B Engineering Income Study for the Placerville Ambulance building grant. He further stated that EBCA would wait to approve Tasks Two, Three and Four and requested that this issue be placed on a future agenda.

ISSUE TRACKING: No changes were made.

CONTRACTS/AGREEMENTS/GRANTS: Nothing was presented.

DEMAND WARRANTS: Clerk Swearingen presented demand warrants to pay the Ada County District Court (\$773.66), Computer Arts (\$7,329.68), Commercial Tire (\$1,936.80) and Michael Harkins (\$221.00). Commissioner Terry C Day made a MOTION to approve all the demand warrants. Commissioner Jamie Anderson SECONDED. Motion passed.

INDIGENT - EXECUTIVE SESSION per I.C. 67-2345(1) (d): Deputy Clerk Vedros presented case information for review. Commissioner Terry C Day made a MOTION to go into executive session to review case 09-09-E, to sign liens for cases 09-09-E and 09-11-A, to discuss a release of lien on case 09-09-C and to discuss a release and forgive a balance on case 08-08-F. Commissioner Jamie Anderson SECONDED. Roll Call Vote: Commissioner Jamie Anderson-AYE; Commissioner Terry C Day-AYE. Motion passed.

After coming out of executive session, Commissioner Terry C Day made a MOTION to approve case 09-09-E, sign the liens for cases 09-09-E and 09-11-A, approve the release for case 09-09-C and release and forgive the balance on case 08-08-F. Commissioner Jamie Anderson SECONDED. Motion passed.

SOLID WASTE: Supervisor Mike Bottoms presented the Warm Springs Landfill Closure Environmental Covenant. Commissioner Jamie Anderson asked if the EPA had closed the landfill. Mr. Bottoms stated that Boise County had closed the landfill so that extensive work would not have to be done. Commissioner Jamie Anderson made a MOTION to sign the covenant. Commissioner Terry C Day SECONDED. Motion passed.

COMMUNITY JUSTICE: Juvenile Probation Officer Kevin Burke presented the Juvenile Justice Census Review and the monthly juvenile probation report.

COMPREHENSIVE PLAN REVIEW: Planning & Zoning Administrator Patti Burke handed out a copy of the revised comprehensive plan. Jack Kane, Comprehensive Plan Rewrite Committee Chair, spoke to the Board about the changes. Mr. Kane stated that the Code of the New West had been put in the Plan and explained the Plan's layout. Commissioner Terry C Day stated that the Board would review the Plan and add it to a meeting agenda sometime after January 1, 2010 for discussion. Mr. Kane stated that the glossary was the final item to be completed.

PA ISSUES: Deputy Prosecutor Cherese McLain presented a draft of an Initiative and Referendum ordinance.

Deputy Prosecutor McLain spoke about the West Law online reference library. Ms. McLain stated that the PA's office could get the full service for \$3,600 per year but that only \$2,500 had been budgeted for FY2010. The Board stated that they would discuss the issue at next week's meeting.

The meeting was recessed until 6:30 p.m.

CONSTITUENT INPUT: No constituents were present so Planning & Zoning Administrator Patti Burke spoke about several issues.

Ms. Burke spoke about the land use map and handed out sample versions from Ada and Teton Counties. She also spoke about the Cuomo Mines and stated that once the mine was in full operation, it would have a big impact on our county.

Ms. Burke spoke about the land use map for the Comprehensive Plan and stated that only a "broad brush look" version would be put in the Plan, not a detailed version. She handed out a copy of the Ada County historic site inventory map and a Gem County zoning map. Commissioner Terry C Day asked if a land use map was required, and Ms. Burke stated that it was.

Ms. Burke and Commissioner Anderson discussed commercial development and how it should be built around populated areas. Commissioner Anderson stated that the Commissioners needed to be aware of the areas in which they approve future commercial projects to control the areas of commercial versus residential development. Commissioner Anderson further stated that the city of Crouch had adopted zoning laws and wanted the County to adopt the same procedures for their area of city impact.

Administrator Burke stated that Deputy Prosecutor McLain needed training on the city areas of impact since this issue encompasses much more than what is realized. She further stated that cities should plan services and commercial development, especially capital projects, in these areas.

Commissioner Terry C Day stated that the County did not need to recognize a city's area of impact. Administrator Burke stated that the issue should be mitigated and worked out between the city and County. Commissioner Jamie Anderson stated that areas of impact go hand-in-hand with annexation.

RESOLUTION 2010-04 HEARING PROCEDURES: Commissioner Jamie Anderson requested that language be added to the Ordinance which states that the Ordinance supersedes all other ordinances, resolutions and procedures concerning hearing procedures on land use issues. Deputy Prosecutor Cheresse McLain stated that she would update the language. Commissioner Terry C Day made a MOTION to approve the resolution with the change. Commissioner Jamie Anderson SECONDED. Motion carried.

MISC. & CORRESPONDENCE:

- Resolution 2009-37 Solid Waste Landfill Closure Costs Unexpected Expense, Resolution 2009-38 Tort Fund Attorney Costs Unexpected Expense, Resolution 2009-39 General Fund/General Ops Civil Attorney Cost Unexpected Expense and Resolution 2010-09 EBCAD Fees Increase – Commissioner Jamie Anderson made a MOTION to approve Resolution 2009-37, approve Resolution 2009-38 with changed language, approve Resolution 2009-38 to reflect contract attorney cost and approve Resolution 2010-09. Commissioner Terry C Day SECONDED. Motion carried.
- Commissioner Terry C Day stated that Chairperson Linda W Zimmer was now Boise County's representative on the Woody Biomass Partnership and further stated that he had sent Morris Huffman his letter of resignation.

FUTURE AGENDA TOPICS REVIEW: The Board stated that Mark Tate from M3 would be coming to the November 30th meeting to talk to them about giving up land and removing it from the Boise County tax base.

Commissioner Jamie Anderson gave a history on the Gardena surplus property and stated that Idaho Department of Fish & Game did not own it.

The Board stated that Ernie Simmons from Atlanta Gold Mine would be scheduled to attend a future meeting to update the Board on their current and future operations.

The Board requested that the Clerk send out an email to remind everyone of the current spending authority, to refrain from spending, and to reiterate what was "ordinary and necessary."

Clerk Swearingen asked the Board about implementation of the new procedure concerning IRS regulations on county-owned vehicles. The Board requested that the Clerk develop a short contract or form on which the County employee agrees to have deducted the \$1.50 trip charge from their bi-weekly payroll and on which the employee agrees to use the County vehicle for incidental personal use. The Board agreed that the exemption to the trip charge, by IRS Code, was only for the Sheriff and deputies, the Coroner, and EMTs (not applicable for Boise County) and firefighters (not applicable for Boise County).

Having no further business, Commissioner Jamie Anderson adjourned the meeting until 9:00 AM, November 23rd, 2009.

Approved this 14th day of December, 2009.

LINDA W ZIMMER, Chairperson
Boise County Board of Commissioners

Attest:

Constance Swearingen, Clerk to the Board