

BOISE COUNTY BOARD OF COMMISSIONERS  
MONDAY, NOVEMBER 23RD, 2009  
BOISE COUNTY COMMISSIONER'S ROOM  
**OFFICIAL MEETING MINUTES**

Chairperson Linda W Zimmer called the meeting to order at 9:00 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, Treasurer April Hutchings, Prosecutor RJ Twilegar, Deputy PA Chereese McLain and Chief Deputy Clerk Dee Woodstrom

**COMMISSIONER DISCUSSION:** Commissioner Terry C Day talked about the surplus of the old Mores Creek Ambulance and stated that the Boise County Firefighters Association had offered to purchase it. Commissioner Jamie Anderson reiterated that surplus ambulances should only be used as response vehicles, not to transport patients. The Board instructed Clerk Swearingen to prepare a resolution transferring ownership of the ambulance to the Boise County Firefighters Association.

Commissioner Jamie Anderson spoke about the federal audit costs for the Big Pine Creek Aquatic Project. Commissioner Anderson also spoke about needing an extension on the current contract.

**AMENDMENTS TO THE AGENDA:** Commissioner Terry C Day requested the addition of an executive session to discuss the on-going issue with Prosecutor RJ Twilegar per I.C. 67-2345(1)(f) pending litigation. Commissioner Terry C Day made a MOTION to approve the amendment to the agenda. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

**MINUTES:** Clerk Swearingen presented the meeting minutes for November 2<sup>nd</sup>, 2009. Commissioner Terry C Day made a MOTION to approve the November 2<sup>nd</sup> minutes. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

**TREASURER/ASSESSOR ISSUES:** Treasurer April Hutchings presented one request for tax cancellation. Treasurer Hutchings stated that the property in question was a road and should not have been taxed. Chairperson Linda W Zimmer made a MOTION to approve the request for tax cancellation. Commissioner Terry C Day SECONDED. All ayes, motion carried.

Assessor Brent Adamson presented six requests for tax cancellations. Commissioner Terry C Day made a MOTION to approve all six of the requests. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

**COMMITTEE REPORTS:** Commissioner Terry C Day stated he had attended the Planning & Zoning Commissioner/Boise County Board of Commissioners' joint meeting.

Commissioner Jamie Anderson stated she had attended the 4<sup>th</sup> District Court luncheon, the Associated Taxpayers Conference and the Planning & Zoning Commissioner/Boise County Board of Commissioners' joint meeting. Commissioner Anderson spoke about the Energy Efficiency Grant and stated that in addition to the State grant program, the Federal Government would also be making grant awards with higher dollar allocations.

Chairperson Linda W Zimmer stated she had attended the Regional Advisory Committee meeting and the Planning & Zoning Commissioner/Boise County Board of Commissioners' joint meeting.

**CONTRACTS/AGREEMENTS/GRANTS:** Clerk Swearingen presented the J-U-B Engineering revised contract on the administrative portion of the new Placerville Ambulance building. Commissioner Jamie Anderson made a MOTION to sign the agreement. Commissioner Terry C Day SECONDED. All ayes, motion carried.

**DEMAND WARRANTS:** Clerk Swearingen presented demand warrants to pay Lizaso's Saw Service (\$1,631.88), Heather Donahue (\$240) and LL Beckman Electrical (\$60). Commissioner Terry C Day made a MOTION to approve all demands presented. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

Clerk Swearingen presented three demand warrants to pay Garden Valley Chevron (\$50), Idaho City Post Office (\$310) and Valerie Delyea (\$551.02). Commissioner Terry C Day made a MOTION to pay Garden Valley Chevron and Idaho City Post Office. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

Commissioner Terry C Day made a MOTION to hold the reimbursement to Valerie Delyea and to process it on regular bill day. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

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

**MISC. & CORRESPONDENCE:**

- Resolution 2009-04 Routing & Approval of Contracts and Grants – The Board stated that they would review this with Deputy Prosecutor Cherese McLain and discuss on December 7<sup>th</sup> during the Elected Official/Department Head portion of the meeting.
- Referendum & Initiative Ordinance – was not discussed today.
- Resolution 2009-40 EBCA unanticipated Placerville gurney purchase - Chairperson Linda W Zimmer made a MOTION to approve the resolution. Commissioner Terry C Day SECONDED. All ayes, motion carried.
- Resolution 2009-41 Indigent moving line items – Commissioner Terry C Day made a MOTION to approve the resolution. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.
- Resolution 2009-42 IC Snowmobile moving line items – Chairperson Linda W. Zimmer made a MOTION to approve the resolution. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.
- Resolution 2009-43 GV Snowmobile moving line items – Chairperson Linda W Zimmer made a MOTION to approve the resolution. Commissioner Terry C Day SECONDED. All ayes, motion carried.
- Resolution 2009-44 Sheriff Reserve moving line items – Chairperson Linda W Zimmer made a MOTION to approve the resolution. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.
- Resolution 2009-45 Justice Fund moving line items – Chairperson Linda W Zimmer made a MOTION to approve the resolution. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

**COMMUNITY JUSTICE:** Valerie Delyea spoke about the ICAN Program. Ms. Delyea stated that there are 38 juveniles in the program. She also discussed the funding streams that Community Justice receives for her various programs. Ms. Delyea stated that the ICAN Program was designed for first-time offenders between the ages of 8 and 18 as an alternative to going through the court system. She stated that ICAN and her other programs were meant to be diversion techniques

(from the normal court process) and her clients could be in the program from three months to a year.

**PUBLIC HEARING:** Administrator Patti Burke presented the Branch Estates #2 Minor Subdivision application.

Chairperson Linda W Zimmer made a MOTION to close the regular meeting and go into the public hearing. Commissioner Terry C Day SECONDED. All ayes, motion carried.

Administrator Burke presented the staff report and explained to the Board why it was a minor subdivision rather than a family split. Deputy Prosecutor Chereese McLain recommended that adding a timeline to the conditions would be advisable, prior to signing. She also stated that the timeline should be incorporated into the new subdivision ordinance.

Chairperson Linda W Zimmer made a MOTION to come out of the public hearing and go into the regular Board meeting.

Chairperson Linda W Zimmer made a MOTION to approve the minor subdivision for Branch Estates #2 with all conditions listed in the staff report and as follows: 1) Central District Health approval is obtained prior to signing of the final plat; 2) The final plat requires all face notes per Boise County Subdivision Ordinance 2006-02 and Idaho Code; 3) Applicant shall comply with all local, state and federal requirements and permits; 4) Affix the County Treasurer and Assessor certifications; 5) Pay all taxes prior to signing of the final plat; and 6) Applicant shall correct all four exceptions as listed in the County Engineering, Forsgren Associates letter, dated August 13, 2009 prior to signing the final plat. The Board also stated that if additional access was needed on Harris Creek Road, the applicant would be required to apply to the Boise County Road & Bridge Department for a right of way permit and comply with Central District Health Department to place an appropriate drain field easement for lot 1 on lot 2. The Board also stated that they reserve the right to withdraw its approval if the applicant failed to adequately satisfy these conditions. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

Planning & Zoning Administrator Patti Burke spoke to the Board concerning Vivian McLaughlin's building permit fee. Ms. Burke stated that \$100.00 of the \$193.51 was paid and asked if the Board would accept that as full payment. Ms. McLaughlin was told that the fee would be \$100. Commissioner Jamie Anderson made a MOTION to accept the \$100 as payment in full. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

**EMERGENCY MANAGEMENT:** Coordinator Gordon Ravenscroft presented the ECC Dedicated Enhanced Emergency Communications Grant Fee Fund for the Emergency 911 Grant which had been awarded to Boise County. Commissioner Terry C Day made a MOTION to accept the grant. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

Mr. Ravenscroft also presented the 2009 Homeland Security Subgrant application for \$32,377.79. Commissioner Terry C Day made a MOTION to sign the application. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

**BILLS:** Clerk Swearingen presented the bills as follows:

General Fund	\$	7,685.52	Weeds	\$	210.26
Justice Fund	\$	52,649.88	District Court	\$	3,674.83
Road & Bridge	\$	12,791.79	Sheriff Vessel	\$	99.55
Emergency 911	\$	271.02	Revaluation	\$	78.62

Snowmobile GV8-B	\$	4.19	Snowmobile IC8-A	\$	212.62
Indigent	\$	28,267.78	Solid Waste	\$	16,304.32

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

**CONSTITUENT INPUT:** Wendy Osborne, Idaho City Ambulance, informed the Board that Life Flight in Boise was interested in purchasing the old Mores Creek ambulance for \$3,000. Ms. Osborne further stated she would have someone from Life Flight contact the Clerk.

**PUBLIC HEARING:** Chairperson Linda W Zimmer made a MOTION to close the regular Board meeting and open the public hearing for Solid Waste Fee Reductions. Commissioner Terry C Day SECONDED. All ayes, motion carried.

Solid Waste Supervisor Mike Bottoms spoke about reducing the solid waste fees by five percent (5%). Commissioner Jamie Anderson made a MOTION to close the public hearing and open the regular meeting. Commissioner Terry C Day SECONDED. All ayes, motion carried. Commissioner Terry C Day made a MOTION to approve the five percent solid waste fee reduction to begin January 1, 2010. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

**ROAD DEPT:** Trevor Howard presented the final report on the Big Pine Creek Aquatic Project. He stated that construction had been completed on October 25<sup>th</sup> and that the final walk through had been done on November 2<sup>nd</sup>. Chairperson Linda W Zimmer stated that a request for a one-year extension needed to be sent to the Western Federal Lands Division to ensure all upcoming costs on the project were accounted for and paid.

Chairperson Linda W Zimmer made a MOTION to pay Schmidt Construction (\$281,789.20). Commissioner Terry C Day SECONDED. All ayes, motion carried.

Road Department Supervisor Bill Jones presented a summary for the signs' project funded by LHTAC. Commissioner Terry C Day made a MOTION to sign the summary. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

**MASS GATHERING ORDINANCE REVIEW:** This subject was not addressed today.

**PA ISSUES:** Commissioner Terry C Day made a MOTION to go into executive session per I.C. 67-2345(1)(b) and (f) pending litigation to discuss the ongoing pending litigation between the Prosecuting Attorney and Board of Commissioners. Commissioner Jamie Anderson SECONDED. Roll Call Vote: Commissioner Jamie Anderson - Aye; Commissioner Terry C Day – Aye; Chairperson Linda W Zimmer – Aye. All ayes; motion carried. Commissioner Jamie Anderson made a MOTION to come out of executive session. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

Deputy Prosecutor Cherese McLain gave the Board an update on the J-U-B Engineering letter on the South Fork Payette River Bridge right-of-way issue and stated that a survey needed to be done.

Ms. McLain provided the Board information about the Prosecuting Attorney's FY2010 budget and stated that not enough money had been budgeted for Idaho State Bar fees, postage and the West Law online research tool. Clerk Swearingen stated she would draft a resolution to make the necessary adjustments to the budget.

Deputy Prosecutor McLain gave updates on the mass gathering ordinance, the referendum and initiative ordinance and spoke with Emergency Management Coordinator, Gordon Ravenscroft, concerning the Wildland Urban Interface.

**FUTURE AGENDA TOPICS REVIEW:** Commissioner Terry C Day stated he would like to have a resolution drafted to officially close each year's budget.

The Board requested an Elected Official/Department Head meeting on December 7<sup>th</sup> from 8 to 10 a.m.

Having no further business, Chairperson Linda W Zimmer adjourned the meeting until 8:00 AM, December 7<sup>th</sup>, 2009.

Approved this 28<sup>th</sup> day of December, 2009.

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

Attest:

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**Constance Swearingen**, Clerk to the Board