

BOISE COUNTY BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 22nd, 2010
BOISE COUNTY COMMISSIONERS' ROOM
OFFICIAL MEETING MINUTES

Chairman Terry C Day called the meeting to order at 9:00 A.M. The Pledge of Allegiance was recited.

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

OTHERS PRESENT: Assessor Brent Adamson, Treasurer April Hutchings and Chief Deputy Clerk Dee Woodstrom

COMMISSIONER DISCUSSION: Chairman Terry C Day spoke about the holiday schedule. He stated that the day after Thanksgiving (November 26th) would be a holiday for all County employees, along with Christmas Eve day (December 24th) and New Year's Eve day (December 31st) which are the official Christmas and New Year's Day holidays, respectively. Clerk Swearingen stated that she would send an email to all employees notifying them of the schedule.

Commissioner Linda W Zimmer spoke about a letter she had received from the Idaho Transportation Department concerning removal of debris from the Payette River. It was stated that the Board would discuss this letter during *Miscellaneous & Correspondence*.

Commissioner Linda W Zimmer stated that she had received a letter from ICRMP asking if Boise County was still planning to do the employee Loss Control training.

Commissioner Linda W Zimmer stated that the City of Horseshoe Bend Expanded Area of Impact had been signed by the Horseshoe Bend City Council.

Commissioner Jamie Anderson spoke about the network operating center for the Garden Valley Technology Park.

Commissioner Anderson spoke about the Garden Valley Senior Center Congregate Care Agreement. She stated that the signed agreement had not been received by the Clerk's office, and she handed out a copy.

Chairman Terry C Day spoke about the Woody Biomass Feasibility Study.

AMENDMENTS TO THE AGENDA: Chairman Terry C Day made a MOTION to discuss the Global Climate Grant after *Indigent* and to review the Memorandum of Understanding for the Garden Valley Senior Center during the *Prosecuting Attorney* time slot. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

Chairman Terry C Day made a MOTION to discuss the EBCA local unit termination of EMTs during the *Prosecuting Attorney* time on the agenda. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

MINUTES: Clerk Swearingen presented the meeting minutes from October 18th, 2010. Commissioner Linda W Zimmer made a MOTION to approve the October 18th minutes. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

TREASURER/ASSESSOR ISSUES: Treasurer April Hutchings presented seven letters concerning the Rice property on Montgomery Street in Idaho City. Commissioner Jamie Anderson made a MOTION for the Treasurer to send Applied Card Bank, Prentice-Hall Corp Systems, State of Idaho Tax Commission, Citifinancial Mortgage Company, Yvonne Caudle, Dean Rice and Paul Rice letters as required by Idaho Code 63-1006 as parties of interest to the property identified as RPI000000264851, tax deed sale \$2,693.15, with potentially Boise County also receiving such a letter if we had a lien. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.

Assessor Brent Adamson presented three requests for tax cancellations. Commissioner Linda W Zimmer made a MOTION to approve the tax cancellation requests for RP0110300000410, MHH0000045024A and MHH00000850040. Chairman Terry C Day SECONDED. All ayes, motion carried.

Assessor Adamson spoke about the Haile Subdivision public hearing from last week. Assessor Adamson stated that he had not been in attendance during the public hearing but that he wanted to discuss the illegal split.

Chairman Terry C Day asked Assessor Adamson about the Encinas issue. Assessor Adamson stated that he had told the property owner (Encinas) what she needed to do to fix the assessments on her property and was awaiting her reply.

COMMITTEE REPORTS: Chairman Terry C Day stated that he had attended the 4th Judicial luncheon in Boise.

Commissioner Jamie Anderson stated that she had attended the 2010 Continuing Education Conference (for Newly Elected Officials) in Twin Falls. She stated that Clerk-elect Mary Prisco, Commissioner-elect Bob Fry, Assessor Brent Adamson and Treasurer April Hutchings had also attended the workshop.

CONTRACTS/AGREEMENTS/GRANTS: Clerk Swearingen presented the Garden Valley Building Materials License Agreement. Commissioner Jamie Anderson stated that the Recorded Instrument number needed to be added as a reference. Instrument #227331 dated April 7, 2010 had been added to and referenced in the agreement. Commissioner Jamie Anderson made a MOTION to sign the license agreement with Garden Valley Building Materials for fence encroachment. Commissioner Linda w Zimmer SECONDED. All ayes, motion carried.

The Board discussed the climate grant for Lloyd Mahaffee. Commissioner Jamie Anderson stated that she would draft a letter of support on the concept of the grant.

DEMAND WARRANTS: Clerk Swearingen presented demand warrants to pay Atlanta Highway District (\$11,920.16), CCS (\$681.35), Chuck Krawl (\$850) and Thomas Nelson (\$730). Chairman Terry C Day made a MOTION to approve the demand warrants. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.

INDIGENT: The Board stated that they would discuss this later today as time allowed.

LAND USE GLOSSARY DISCUSSION: Planning & Zoning Administrative Assistant Rora Canody spoke about the glossary and the changes the Board had requested. Planning & Zoning Administrator Patti Burke, Deputy Prosecutor Cheresse McLain and Emergency Management Services Coordinator Gordon Ravenscroft were also in attendance for the discussion. The Board discussed the changes they wanted made to the glossary.

CONSTITUENT INPUT: None.

MASS GATHERING APPLICATION: The Board discussed the application for the Make-a-Wish Polar Bear Challenge. Emergency Management Services Coordinator Gordon Ravenscroft stated that he had no objections to the application. Chairman Terry C Day made a MOTION to approve the Make-a-Wish Polar Bear Challenge application at Spring Shores with the condition that they provide the certificate of liability insurance and name Boise County as an additional insured. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.

MISCELLANEOUS & CORRESPONDENCE:

- Planning & Zoning – Signatures of FCOs for Haile Minor Subdivision and Southfork Landing amended plat were requested. Deputy Prosecutor Cherese McLain requested changes and stated that she would review the right-of-way issue and report back to the Board.
- Idaho Transportation Department gravel bar and debris removal letter – The Board discussed the letter which was about the flooding being caused on private property by silt collection on islands in the Payette River. Commissioner Jamie Anderson stated she would contact the Army Corps of Engineers about the issue.
- Computer Arts server memory storage quotes – the Board reviewed the Computer Arts quotes and asked Clerk Swearingen to secure additional quotes.
- Resolution 2011-06 Solid Waste Trailer Surplus – the minimum bid was \$500 and the advertisement for bidding will be in the Idaho World newspaper. Commissioner Linda W Zimmer made a MOTION to approve the surplus of the 1972 10' X 36' office trailer to be sold by sealed bid for not less than \$500. Chairman Terry C Day SECONDED. All ayes, motion carried.
- Resolution 2010-61 Sheriff's Department Contract Work. Commissioner Linda W Zimmer made a MOTION to approve Resolution 2010-61 for the ITD Traffic Enforcement, DEA and Army Corps of Engineers' Patrol in the amount of \$ 41,555.49. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.
- Resolution 2010-63 Sheriff's Reserves - Chairman Terry C Day made a MOTION to approve Resolution 2010-63 to increase the Sheriff's Reserve funds for 2010 for unexpected expense. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.
- Resolution 2010-64 Justice Fund - Dispatch - Commissioner Linda W Zimmer made a MOTION to approve Resolution 2010-64 to adjust the Boise County Dispatch budget in the amount \$1,999.20. Chairman Terry C Day SECONDED. All ayes, motion carried.
- Resolution 2010-65 Frazier and Harris Creek Fires - Commissioner Linda W Zimmer made a MOTION to approve Resolution 2010-65 to adjust the FY2010 budgets for the Justice Fund, Sheriff's Reserve and Road Department funds for the Frazier and Harris Creek Fires in the amount of \$22,906.65 Commissioner Jamie Anderson SECONDED. All ayes, motion carried.
- Resolution 2010-66 Budget Increase for the Alamar Ranch Litigation. Commissioner Jamie Anderson made a MOTION to approve Resolution 2010-66 to increase the FY2010 extraordinary legal homicide budget in the amount of \$69,124.63. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.
- Resolution 2010-67 PA Budget Adjustment - Chairman Terry C Day made a MOTION to approve Resolution 2010-67 to adjust the Justice Fund - PA budget. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.
- Resolution 2010-69 Junior College Budget Increase - Commissioner Linda W Zimmer made a MOTION to approve Resolution 2010-69 to increase the FY2010 Junior College budget for unexpected expenses in the amount of \$300. Chairman Terry C Day SECONDED. All ayes, motion carried.
- Resolution 2010-68 Lowman Wildland Urban Interface Emergency Services - Commissioner Jamie Anderson made a MOTION to approve Resolution 2010-68 to increase the General

fund - Emergency Management FY2010 budget. Chairman Terry C Day SECONDED. All ayes, motion carried.

GEM/BOISE COUNTY FAIR BOARD AND 4-H DISCUSSION: The Board stated that Gem County had requested \$8,500 in funding from Boise County for the FY2011 4-H Program. The Board stated that they would only be able to pay \$6,500, which had been the amount budgeted. Commissioner Jamie Anderson spoke about the amount budgeted, the "tone" of the letters from the Gem County Commissioners and possible discrimination if Gem County refused Boise County children from partaking in 4-H events. Commissioner Linda W Zimmer also spoke about the letters received and the funding supplement from Pat Momont.

Chairman Terry C Day also spoke about the "tone" of the letters from Gem County and the attitude of their commissioners at the meeting in Horseshoe Bend. Chairman Day stated that he would like to see a Boise County Commissioner involved in the setting of the FY2012 4-H budget to discuss the costs. Chairman Day recommended that Boise County pay the \$8,500 this year but with the stipulation that Boise County be more involved in next year's 4-H budget meeting.

Clerk Swearingen stated that there were funds available to pay the excess money if needed from cash carry-over in the General Fund.

Chairman Terry C Day made a MOTION to fund the FY2011 Gem/Boise County 4-H Program for the full amount requested (\$8,500), the additional \$2,000 to come from the Junior College Fund and to send a letter requesting involvement in the setting of their FY2012 budget. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.

The Board further discussed the Gem/Boise County Fair funding. Commissioner-elect Bob Fry stated he would like to see the justification for the funding request. Chairman Terry C Day made a MOTION to keep the funding at \$2,500 which had been the amount determined during the FY2011 Boise County budget hearings. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.

BILLS: Clerk Swearingen presented the bills as follows:

General Fund	\$	27,256.22	District Court	\$	6,902.08
Justice Fund	\$	61,672.66	EBCA	\$	5,782.29
Road & Bridge	\$	18,219.48	Revaluation	\$	181.01
Emergency Comm.	\$	955.73	Solid Waste	\$	17,571.51
Indigent	\$	330.36	Weeds	\$	88.99
Snowmobile IC8-A	\$	252.21	Sheriff's Reserves	\$	315.88
Snowmobile GV8-B	\$	5.44			

Commissioner Linda W Zimmer made a MOTION to approve the bills with the exception of the voucher to Bill Jones. Chairman Terry C Day SECONDED. All ayes, motion carried.

PA ISSUES: Deputy Prosecutor Cheresse McLain spoke about the Haile Minor Subdivision and the Southfork Landing Amended PUD FCOs. Ms. McLain spoke about Idaho Code 50-1309 dedication for adding to the 33-foot wide easement. Chairman Terry C Day made a MOTION to sign the FCOs for Haile Minor Subdivision with the three recitals: 1) land acquisition by applicant violated the Boise County Subdivision Ordinance 2006-02; 2) after the show cause hearing on May 3, 2010 applicant agreed to apply for a minor subdivision or to come into compliance with the Boise County Subdivision Ordinance 2006-02; and 3) approval of this minor subdivision indicates that the applicants are in compliance with the Boise County Subdivision Ordinance 2006-02 regarding land acquisition from Southfork Landing Inc. or its related companies. The conditions are: 1) applicant Nov. 22ND, 2010 Reg Min

shall comply with the engineer report dated July 20, 2010 regarding plat notes and plat checklist; 2) applicant shall dedicate, pursuant to I.C. 50-1309, to Boise County a 33-foot wide easement along the Southfork Road relocation and a 33-foot wide easement along the Alder Creek Road boundary for road maintenance and snow storage; 3) applicant shall adhere to the Boise County WUI Ordinance 2010-03; 4) applicant shall locate, on the plat map, the location of the existing 2" pressurized riser connected to Southfork Landing water system in lieu of a 3,000 gallon water storage on site for fire protection; 5) applicant shall obtain Central District Health approval prior to the signing of the final plat; 6) final plat shall not be approved until the amended Southfork Landing PUD boundary has been approved by the Board of County Commissioners; 7) applicant shall pay all taxes due and obtain Boise County Treasurer and Assessor certifications prior to signing of the final plat; and 8) applicant shall comply with all local, state and federal requirements and permits. Final note – final plat will not be signed until all conditions have been met. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.

Commissioner Jamie Anderson made a MOTION to approve the Southfork Landing boundary amendment PUD RP09N04E354851 to include findings that: 1) land transfers by the applicant violated the Boise County Subdivision Ordinance 2006-02; and 2) after the show cause hearing on May 3, 2010 the applicant agreed to apply for an amendment to the plat in order to come into compliance with the Boise County Subdivision Ordinance 2006-02 regarding land transfers to Terry and Joann Haile. Conditions of approval are: 1) all conditions of the Southfork PUD dated July 9, 2007 remain effective and binding to the applicant and that this amendment only changes exterior boundary lines; 2) applicant shall obtain approval from Central District Health Department prior to signature on the final plat of any future phase of Southfork Landing; 3) final plat of any future phases of Southfork Landing shall contain all recorded face notes per Boise County Subdivision Ordinance 2006-02 or current ordinance at the time of application; 4) applicant shall dedicate pursuant to I.C. 50-1309 to Boise County a 33-foot wide easement from the centerline along the frontage owned by the applicant along Alder Creek Road and 33 feet along the proposed South Fork Road for road maintenance and snow storage to the extent that the applicant owns the property on both sides of the Alder Creek and South Fork Roads, then the required dedication shall be 33 feet wide from the centerline extending in both directions; 5) applicant shall comply with all local, state and federal requirements and permits; and 6) a new overall master plan of Southfork Landing shall be prepared and presented to the Planning & Zoning Department reflecting the amended boundary with the date as approved by the Board . Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.

The Board discussed the EBCA issue concerning personnel actions and termination of EMTs. Deputy Prosecutor Cheresse McLain requested time to review the policy.

Deputy Prosecutor McLain stated that she had Garry Gilman's signed contract and would send it to Clerk Swearingen.

FUTURE AGENDA TOPICS REVIEW: The Board stated that they would like to have a future discussion on the Coordination Agreement.

Having no further business, Chairman Terry Day adjourned the meeting until 9:00 AM on Monday, November 29TH, 2010.

Approved this 3rd day of January, 2011.

TERRY C. DAY, Chairman
Boise County Board of Commissioners

Attest:

Constance Swearingen, Clerk to the Board