

BOISE COUNTY BOARD OF COMMISSIONERS  
MONDAY, DECEMBER 27<sup>TH</sup>, 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 Clerk Constance Swearingen

**ABSENT:** Commissioner Linda W Zimmer

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

**COMMISSIONER DISCUSSION:** Chairman Terry C Day stated he discussed options, with Attorney Andy Brassey, concerning the Alamar Ranch lawsuit judgment. Commissioner Jamie Anderson stated the Board should hold a community meeting to discuss the issues. Chairman Day stated a statement concerning the outcome of the Alamar Ranch lawsuit needs to be sent to the Idaho World.

The Board discussed the Lawson pending litigation on malicious prosecution and the two lawsuits against Prosecutor, RJ Twilegar.

Commissioner Jamie Anderson stated she received the information on the Crouch Bridge right-of-way.

**AMENDMENTS TO THE AGENDA:** Nothing was amended.

**MINUTES:** Nothing was presented.

**TREASURER/ASSESSOR ISSUES:** Treasurer, April Hutchings, stated that she has mobile homes that were attempted to be sold by the Sheriff's Department. The Board requested that the Treasurer speak to Deputy Prosecutor Cheresse McLain concerning procedures.

**COMMITTEE REPORTS:** Commissioner Jamie Anderson stated she helped pass out food boxes at the Crouch Community Hall.

**CONTRACTS/AGREEMENTS/GRANTS:** Clerk Swearingen presented the Intermountain Hospital Contract for approval. Commissioner Jamie Anderson made a MOTION for Boise County to enter into an agreement with Intermountain Hospital as of November 1<sup>st</sup>, 2010. Chairman Terry C Day SECONDED. Motion carried.

Commissioner Jamie Anderson presented the Title II Project letter of support for the SW Idaho RAC (Resource Advisory Committee). Chairman Terry C Day made a MOTION to sign the RAC proposal letter of support with the Sawtooth National Recreational Area, portions of which are located in Boise County. Commissioner Jamie Anderson SECONDED. Motion carried.

**DEMAND WARRANTS:** Clerk Swearingen presented demand warrants to pay Boise County Noxious Weeds (\$1,203.66), Hooper Cornell (\$15,822.80), Bertha Hartley (\$150.75), Brassey Wetherell and Crawford (\$153,017.08), Sharon Engle (\$108.75) Valtrend (\$7,053.75) and M & M

Court (\$5,550.75). Chairman Terry C Day made a MOTION to pay the demand warrants to Boise County Noxious Weeds (\$1203.66), M & M Court (\$5550.75), Valtrend LLC (\$7053.75), Sharon Engle (\$108.75) and Bertha Hartley (\$150.75). Commissioner Jamie Anderson SECONDED. Motion carried.

Chairman Terry C Day made a MOTION to pay Hooper Cornell LLC (\$15,822.80) and Brassey Wetherell and Crawford (\$153,017.08). Commissioner Jamie Anderson SECONDED. Motion carried.

**INDIGENT:** Deputy Clerk Molly Thurman presented three indigent cases. Chairman Terry C Day made a MOTION to go into executive session per I.C. 67-2345-(1)(d) to discuss cases 10-10-D, 10-10-C and 10-11-A. Commissioner Jamie Anderson SECONDED. Roll Call Vote: Chairman Terry C Day – Aye; Commissioner Jamie Anderson – Aye. Motion carried.

Chairman Terry C Day made a MOTION to come out of executive session. Commissioner Jamie Anderson SECONDED. Motion carried.

Chairman Terry C Day made a MOTION to approve 10-10-D, and we may require a medical review on this case and a real or personal property lien. Commissioner Jamie Anderson SECONDED. Motion carried.

Chairman Terry C Day made a MOTION to deny case 10-11-A. Commissioner Jamie Anderson SECONDED. Motion carried.

Chairman Terry C Day made a MOTION to deny case 10-10-C. Commissioner Jamie Anderson SECONDED. Motion carried.

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

|                    |    |           |                     |    |          |
|--------------------|----|-----------|---------------------|----|----------|
| General Fund       | \$ | 3,179.37  | District Court      | \$ | 4,660.18 |
| Justice Fund       | \$ | 14,479.43 | EBCA                | \$ | 5,422.51 |
| Road & Bridge      | \$ | 23,827.99 | Revaluation         | \$ | 443.03   |
| Emergency Comm.    | \$ | 2,619.17  | Solid Waste         | \$ | 4,816.98 |
| Sheriff's Reserves | \$ | 145.87    | Sheriff's Vessel    | \$ | 67.17    |
| Snowmobile IC8-A   | \$ | 785.07    | Jr. College Tuition | \$ | 500.00   |
|                    |    |           | Weeds               | \$ | 45.71    |

Commissioner Jamie Anderson made a MOTION to pay the claims on December 27<sup>th</sup> 2010, with correction noted on the account, including the National Business Institute for law class. Chairman Terry C Day SECONDED. Motion carried.

**LUCKY PEAK WATERWAYS UPDATE:** Surot Nichol presented the Idaho Department of Parks and Recreation Waterways Improvement Grant for ramp replacements. Commissioner Jamie Anderson made a MOTION to sign the Idaho Department of Parks and Recreation Grant Application for replacement of the Spring Shores dock, Phase III. Chairman Terry C Day SECONDED. Motion carried.

**CONSTITUENT INPUT:** Jayne Reed, Garden Valley, asked about an emergency moratorium on all Planning & Zoning decisions.

Brent Adamson, Idaho City, spoke about the recent court hearing with Alamar Ranch and stated that he was saddened about the outcome of the trial.

**ROAD DEPT.:** Assistant Supervisor, Chuck Morgan, presented the Road Mileage Report. Commissioner Jamie Anderson made a MOTION to accept the Local Road Mileage Report and the 2010 Road Reporting Map for Boise County and direct Chairman Day to sign such map and report. Chairman Terry C Day SECONDED. Motion carried.

Administrative Assistant, Marilyn Newman, presented the Annual Financial Report. Commissioner Jamie Anderson questioned why the balances were not the same as the Operations in Funds balances. Chairman Terry C Day made a MOTION to sign the Annual Road and Street Financial Report with the changes discussed on page 2; lines 47, 48 and 60. Commissioner Jamie Anderson SECONDED. Motion carried.

**SOLID WASTE DEPT. SURPLUS TRAILER BID OPENING AND AWARD:** This was postponed by the Board until next week's meeting.

**MISCELLANEOUS & CORRESPONDENCE:**

- Planning & Zoning – Signatures of FCO's for the Smith lot line vacation. Chairman Terry C Day made a MOTION to sign the FCO's on the Scott and Denise Smith lot line vacation for RP07N04E265410A and RP07N04E267256A with the five conditions as stipulated in the order. Commissioner Jamie Anderson SECONDED. Motion carried.
- Coordination Resolution, 2011-03, was reviewed and will be signed on January 10<sup>th</sup>.
- Resolution 2010-70 Sheriff's Reserves adjustment FY10 – this is for the Idaho Rally check that we received. Clerk Swearingen stated this will be the last adjustment for 2010. Chairman Terry C Day made a MOTION to sign the resolution to adjust the 2010 Sheriff's reserve budget from \$1,600 for unanticipated revenue to the salary line of \$1,600. Commissioner Jamie Anderson SECONDED. Motion carried.
- YCC Program RAC letter of support – Chairman Terry C Day made a MOTION to sign the letter of support for the RAC YCC Program in the IC District. Commissioner Jamie Anderson SECONDED. Motion carried.
- Road Department payroll change requests (4) – The Board stated there would be no increases in pay at this time.
- Solid Waste Transfer Station Inspection results – The Board reviewed the excellent results.
- Certification of Workers Compensation Rate – Chairman Terry C Day made a MOTION to sign the letter to the Idaho State Department of Agriculture referencing workers compensation rates. Commissioner Jamie Anderson SECONDED. Motion carried.
- The Board discussed having a special meeting on Thursday at 2:30 pm for an executive session with Attorney Brassey.

**PA ISSUES:** The Board discussed with Deputy Prosecutor Cherese McLain, the Intermountain Hospital Contract. Deputy Prosecutor McLain stated some of the verbiage needs to be changed concerning who is liable for the first 24 hours of admission. Commissioner Jamie Anderson made a MOTION to rescind the signature authority on the Intermountain Agreement by Boise County upon further review by counsel. Chairman Terry C Day SECONDED. Motion carried.

Chairman Terry C Day made a MOTION to go into executive session per I.C. 67-2345(1)(f), pending litigation, to discuss the Alamar Ranch lawsuit with Attorney Brassey. Commissioner Jamie Anderson SECONDED. Roll Call Vote: Chairman Terry C Day – Aye; Commissioner Jamie Anderson – Aye. Motion carried.

The Board came out of executive session.

Commissioner Jamie Anderson made a MOTION to authorize Deputy Prosecutor Cherese McLain and Attorney Brassey to retain bankruptcy and bond counsel as needed for the Alamar Ranch lawsuit. Chairman Terry C Day SECONDED. Motion carried.

**FUTURE AGENDA TOPICS REVIEW:** Nothing was discussed.

Having no further business, Chairman Terry Day adjourned the meeting until 9:00 AM on Monday, January 3<sup>rd</sup>, 2010.

Approved this 31<sup>st</sup> day of January, 2011.

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**TERRY C. DAY**, Chairman  
Boise County Board of Commissioners

**Attest:**

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**Constance Swearingen**, Clerk to the Board