

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

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

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

ABSENT: Commissioners Linda W Zimmer

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

COMMISSIONER DISCUSSION: Chairman Terry C Day spoke about the change in the life flight policy for County employees. Clerk Swearingen stated that St. Alphonsus' RMC and St. Luke's RMC have a reciprocating agreement which benefits County employees. Clerk Swearingen stated that they had increased the cost of the coverage from \$5.50 per employee to \$35.00, and that it now included everyone in the employee's household (not just the employee). Clerk Swearingen recommended that the County continue payment of this benefit for this year, but that it should be revisited at budget time to decide how to proceed for the following year. The Board concurred.

Chairman Terry C Day spoke about the Prosecutor's request for payment of a bill to have Commissioner meeting minutes transcribed. Clerk Swearingen stated she had contacted Dan Norris and had received a response. She stated that Mr. Norris had written in an email that he could have listened to the actual recordings rather than read the transcribed minutes in order to come to the decision that the case needed no further investigation. The Board requested that this topic be discussed at a later time.

Commissioner Jamie Anderson presented a loss history report from ICRMP for the Board to review. Commissioner Anderson asked Clerk Swearingen if the revenue shortfalls information would still be presented on April 5th. Clerk Swearingen stated that the reports would be ready for presentation on that date.

Chairman Terry C Day spoke about the census mailing and questioned the actual information required for the 2010 Census.

Commissioner Jamie Anderson stated she had received emails concerning radio checks for dispatch and other emergency services.

FUTURE AGENDA TOPICS REVIEW: The Board spoke about putting the Comprehensive Plan, the WUI Ordinance and Flood Plan Ordinance on an upcoming agenda.

AMENDMENTS TO THE AGENDA: Commissioner Jamie Anderson made a MOTION to have an executive session during the Prosecutor's timeslot to discuss the ongoing litigation with Alamar Ranch with Chairman Terry C Day. Chairman Terry C Day SECONDED. Motion carried.

Commissioner Jamie Anderson made a MOTION to amend the agenda to make a decision on whether the County continues its membership on the Upper Payette River Economic Development Council and whether the Board would support the UPREDC's grant application for an Idaho

Department of Commerce Rural Idaho Economic Development Professional Program Grant.
Chairman Terry C Day SECONDED. Motion carried.

Clerk Swearingen requested that the agenda be amended to remove the 2009 Homeland Security Grant, the Road Department issue and the Indigent Hearing and to add a Road Department compensation payout request. Chairman Terry C Day so moved. Commissioner Jamie Anderson SECONDED. Motion carried.

MINUTES: Clerk Swearingen presented meeting minutes for March 8th and March 15th, 2010. Commissioner Jamie Anderson made a MOTION to approve the March 15th minutes. Chairman Terry C Day SECONDED. Motion carried.

The Board requested changes be made to the March 8th minutes. Clerk Swearingen stated she would revise and re-present them at next week's meeting.

TREASURER/ASSESSOR ISSUES: Treasurer April Hutchings gave an update on last week's hardship request for tax cancellation. Treasurer Hutchings asked the Board if they would approve the cancellation of late charges and interest for tax years 2005 and 2006 since the taxpayers were making regular payments on their property taxes. Chairman Terry C Day instructed Treasurer Hutchings to prepare and present a tax cancellation request for the 2005 and 2006 late charges and interest at the April 5th meeting for the Board to discuss.

Assessor Brent Adamson gave an update on the BTA hearing for Allan Metos. Assessor Adamson stated that he had filed an appeal with the Idaho State Tax Commission on their ruling in favor of giving Mr. Metos an agricultural exemption for 2009. Assessor Adamson stated that the Metos had filed for an agricultural exemption for 2010 but had not filed one for tax year 2009.

Assessor Adamson presented a payroll change request for Stephanie Lynn since she had completed her appraiser certification. Chairman Terry C Day made a MOTION to approve the payroll change request. Commissioner Jamie Anderson SECONDED. Motion carried.

Clerk Swearingen stated that one of the Assessor's Deputy Clerks would be transferring to the Clerk's office and Assessor Adamson stated he was looking for a replacement. The Board, Clerk Swearingen and Assessor Adamson discussed the possibility of moving the Motor Vehicle portion of his office over to the Civil office in the Sheriff's office. The Clerk and Assessor stated that they would discuss this further.

Assessor Adamson stated that he had received a letter from a constituent requesting a change in their property valuation. Assessor Adamson stated he would follow up on this issue.

COMMITTEE REPORTS: Commissioner Jamie Anderson stated she had attended the recent RAC meeting and learned that Valley County had received most of the RAC monies. She also stated that Boise County did not have any applications before the Committee for consideration of possible funding.

Chairman Terry C Day stated he had attended a Planning & Zoning meeting on Red Zone surveys funded with Title III money.

Chairman Day also stated that he had been present for the EBCA conference call to discuss replacement of Jill Browning as the secretary of EBCAD as it pertained to her billing responsibilities.

Chairman Day stated he had attended the Central District Health Board meeting and the Garden Valley Library ground-breaking. Commissioner Jamie Anderson stated she had attended the Library ground-breaking also.

CONTRACTS/AGREEMENTS/GRANTS: The 2009 Homeland Security Grant Program grant was not presented today.

Clerk Swearingen presented the Qwest Service Contract that had been reviewed after last week's meeting. Commissioner Jamie Anderson made a MOTION to approve the contract. Chairman Terry C Day SECONDED. Motion carried.

The EBCAD Secretary Contract was not discussed today.

Clerk Swearingen presented the REEZ (Renewable Energy Enterprise Program) on the Woody Biomass CHP Feasibility Study. It was stated that the funding for this study would be coming from the Department of Energy. Commissioner Jamie Anderson made a MOTION for Chairman Terry C Day to sign the REEZ Contract for Boise County Woody Biomass CHP Feasibility Study, Contract #CON0030. Chairman Terry C Day SECONDED. Motion carried. The Board stated that contacts were needed immediately for McKinstry and Forsgren.

Clerk Swearingen presented three CWMA contracts for the Noxious Weed Department. Clerk Swearingen stated there was no cost to Boise County for these projects. Chairman Terry C Day made a MOTION to sign the award letters with the intent that the Noxious Weed Department was responsible for any matching funding, if required. Commissioner Jamie Anderson SECONDED. Motion carried.

DEMAND WARRANTS: Clerk Swearingen presented demand warrants to pay Ag West Distributing (\$4,690), College of Southern Idaho (\$1,450), Holladay Engineering (\$386.01) and J-U-B Engineering (\$10,364.33).

Commissioner Jamie Anderson made a MOTION to approve the Ag West Distributing demand warrant. Chairman Terry C Day SECONDED. Motion carried.

Commissioner Jamie Anderson made a MOTION to approve the College of Southern Idaho demand warrant. Chairman Terry C Day SECONDED. Motion carried.

Commissioner Jamie Anderson made a MOTION to approve the demand warrants for Holladay Engineering and J-U-B Engineering. Chairman Terry C Day SECONDED. Motion carried.

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

MISCELLANEOUS & CORRESPONDENCE:

- Payette River Scenic Byway letter of intent – Commissioner Jamie Anderson drafted a letter requesting a \$200 cash donation from Boise County for the Payette River Scenic Byway grant. Chairman Terry C Day made a MOTION to sign the letter and support the grant application. Commissioner Jamie Anderson SECONDED. Motion carried.
- EBCA monthly stats were reviewed.
- Two Certificates of Residency were presented. Chairman Terry C Day made a MOTION to approve the two certificates of residency. Commissioner Jamie Anderson SECONDED. Motion carried.
- Resolution 2010-08 Recovery Zone – the Board signed the resolution that had been previously approved.
- UPREDC (Upper Payette River Economic Development Council) update from Commissioner Jamie Anderson – She stated that Boise County could be removed from the Council's

economic development area. Commissioner Anderson also stated that it had been requested by the membership of the UPREDC for all present to go back to their governing boards and request support for their Idaho Department of Commerce Rural Idaho Economic Development Professional Program Grant application. Chairman Terry C Day made a MOTION to remove Boise County from the UPREDC's economic development area and to abstain from supporting their grant application. Commissioner Jamie Anderson SECONDED. Motion carried.

SHOW CAUSE HEARING: Deputy Prosecutor Cheresse McLain spoke about the Show Cause hearing for Red Dixon, owner of the Clear Creek Lodge, and gave a review of the legal procedure, process and the prior actions which had taken place which had made the Show Cause hearing necessary. Chairman Terry C Day called the hearing to order.

Planning & Zoning Administrator Patti Burke spoke about the process that Planning & Zoning had in place to work with builders and developers.

Building Inspector, Jim Smith, spoke to the Board about this issue. He informed the Board that he had spoken with Red Dixon earlier and that Mr. Dixon had removed the top five (5) feet of the building in question. Mr. Smith also stated that he would stop by the property on his way home that day and ensure that the work had been done.

Mr. Dixon spoke about the project that he was constructing on the property. He stated that initially Planning & Zoning had told him that he didn't need a building permit. Mr. Dixon stated that the first level of the building was ten (10) feet in height and that the second level was eight (8) feet. Mr. Dixon stated that he was constructing the third level to rent out as a weekend getaway.

Both P&Z Administrator and Mr. Smith informed Mr. Dixon that the top level could only be used as storage or personal office space and that the building had to pass a framing inspection before Mr. Smith would inspect the third level.

The Board discussed possible changes or amendments to the application to include the third level. Deputy Prosecutor Cheresse McLain stated that the application could not be changed and that a new building permit would need to be issued if changes were made to the design.

The Board stated that they would give Mr. Dixon a 30-day extension to get the changes made on the building to change the building back to the original design and specifications previously approved in the original building permit. Commissioner Jamie Anderson made a MOTION to table the Show Cause hearing to give Mr. Dixon 30 days to come into compliance with his current building permit. Chairman Terry C Day SECONDED. Motion carried.

Commissioner Jamie Anderson also made a MOTION to direct Planning & Zoning Administrator Patti Burke to secure documentation from building inspector, Jim Smith, which demonstrated that Mr. Dixon had made the necessary changes and was in compliance. Chairman Terry C Day SECONDED. Motion carried.

Chairman Terry C Day made a MOTION to close the hearing. Commissioner Jamie Anderson SECONDED. Motion carried.

The Board requested an update at the April 19th meeting.

INDIGENT HEARING: This agenda item was cancelled.

PA ISSUES: Chairman Terry C Day made a MOTION to go into executive session per I.C. 67-2345(1)(f), pending litigation concerning Alamar Ranch. Commissioner Jamie Anderson SECONDED. Roll Call Vote: Chairman Terry C Day – Aye and Commissioner Jamie Anderson - Aye. Motion carried.

Commissioner Jamie Anderson made a MOTION to come out of executive session and to schedule a special meeting with Andrew Brassey on Wednesday, March 24th at noon for a conference call concerning Alamar Ranch. Chairman Terry C Day SECONDED. Motion carried.

ROAD DEPT.: The Upper Payette River/Gardena Bridge Agreement was not presented today since Road Department Supervisor Bill Jones was not able to be in attendance.

Clerk Swearingen presented a compensation payout request for Dino Hugon. Chairman Terry C Day made a MOTION to approve the request. Commissioner Jamie Anderson SECONDED. Motion carried.

BILLS: Clerk Swearingen presented the bills as follows:

General Fund	\$	5,145.92	Weeds	\$	511.97
Justice Fund	\$	10,649.50	District Court	\$	3,761.92
Road & Bridge	\$	8,059.03	EBCA	\$	3,854.13
Emergency 911	\$	4,436.60	Solid Waste	\$	9,638.08
Tort	\$	62,742.25	Snowmobile IC8-A	\$	555.32
			Snowmobile GV8-A	\$	11.03

Commissioner Jamie Anderson made a MOTION to approve the bills. Chairman Terry C Day SECONDED. Motion carried.

CONSTITUENT INPUT: Kay Jackson, Idaho City resident, spoke about the Boise Basin Recreation District petitions and requested that the formation of the recreation district be included on the May Primary Election ballot. Chairman Terry C Day spoke about the petition process. Trudy Jackson, Idaho City resident, spoke about the hard work that had been done to secure the required number of signatures on the petitions so that this matter could be placed on the May Primary ballot. The Board decided to hold a meeting on March 29th at 9:00 a.m. to discuss the issue to expedite the process.

The meeting was adjourned until 9:00 AM on March 29, 2010. The Board also stated that the public hearing on the Comprehensive Plan would convene at 7:00 PM later that day in Horseshoe Bend.

At 7:00 PM, Chairman Terry C. Day opened the public hearing on the Comprehensive Plan at the Ladies Club Hall, 121 West Boise Street in Horseshoe Bend.

(Although advertised as a joint Boise County Board of Commissioners/Planning and Zoning Commission public hearing, only one member of the P&Z Commission was present. In order to meet the requirements of a joint meeting of both bodies, a quorum of both bodies must be present.)

Chairman Day introduced Jack Kane, co-Chair of the Comprehensive Plan committee. Mr. Kane spoke about the revised Comp Plan and explained the Code of the New West which had been originally developed by Valley County. He also summarized each chapter of the Comp Plan and explained the changes which had been made.

Chairman Day asked if any of the people present wanted to testify either in support or against the Comp Plan. No one present wanted to testify.

Chairman Day reported that the final public hearing on the Comp Plan would be held on April 5th in Idaho City and stated that the full Planning and Zoning Commission would be present. He also reported that all changes would be discussed at the Board of Commissioners' meeting on April 19th.

Jack Kane asked P&Z Administrator Patti Burke if the date of the next P&Z Commission meeting could be re-scheduled to April 5th in order to have both bodies present. Ms. Burke stated that the next P&Z Commission meeting was in Horseshoe Bend and that one of the issues on the agenda was the Horseshoe Bend city area of impact. Ms. Burke stated that the Horseshoe Bend city area of impact was too important an issue to re-schedule. It was again stated that a quorum of the Planning and Zoning Commission was needed at the final hearing on the Comp Plan on April 5th.

Chairman Terry Day adjourned the meeting at 7:23 PM until 9:00 AM on Monday, March 29, 2010.

Approved this 5th day of April, 2010.

TERRY C. DAY, Chairman
Boise County Board of Commissioners

Attest:

Constance Swearingen, Clerk to the Board