

BOISE COUNTY BOARD OF COMMISSIONERS  
MONDAY, APRIL 5<sup>TH</sup>, 2010  
BOISE COUNTY COMMISSIONERS' ROOM  
**OFFICIAL MEETING MINUTES**

Chairman Terry C Day called the meeting to order at 10:00 A.M. The Pledge of Allegiance was recited.

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

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

**TAX DEED REVIEW:** Treasurer April Hutchings presented 27 properties to be taken by Boise County for non-payment of property taxes for the year 2005. Treasurer Hutchings stated that the property owners would have one year to redeem their property (by paying their 2005 taxes, late fees and interest).

Treasurer Hutchings also stated that her office was behind by one year in collecting for unpaid property taxes. She further stated that they would process two years of non-payment in 2011.

Chairman Terry C Day made a MOTION to sign the tax deed on Campbell, parcel number RP10000100F004A. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Heyren, parcel number RP056010000010. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Heyren, parcel number RP056010000020. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Heyren, parcel number RP056010000030. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Heyren, parcel number RP056010000060. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Heyren, parcel number RP056010000090. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Heyren, parcel number RP056010000160. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Heyren, parcel number RP05N04E190050. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Heyren, parcel number RP05N04E203650. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Heyren, parcel number RP05N04E205450. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Kelhkull, parcel number RP075010000200. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Longstreet LLP, parcel number RP051010010070. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Longstreet LLP, parcel number RP051010010080. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Longstreet LLP, parcel number RP051010010090. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Longstreet LLP, parcel number RP051010010100. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

Chairman Terry C Day made a MOTION to sign the tax deed on Longstreet LLP, parcel number RP051010010110. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Longstreet LLP, parcel number RP0510100100120. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Longstreet LLP, parcel number RP051010010130. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Longstreet LLP, parcel number RP051010010140. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Longstreet LLP, parcel number RP051010020040. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Longstreet LLP, parcel number RP051010020050. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Longstreet LLP, parcel number RP051010020060. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Longstreet LLP, parcel number RP051010020070. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Longstreet LLP, parcel number RP051010020080. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Longstreet LLP, parcel number RP051010020090. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.  
Chairman Terry C Day made a MOTION to sign the tax deed on Longstreet LLP, parcel number RP051010020100. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.

Chairman Terry C Day asked whether the County could offer these properties for sale after the one-year redemption period. Treasurer Hutchings stated that the County had fourteen months to sell the properties if the taxes were not paid. Treasurer Hutchings stated that there would be two properties for sale in June 2010.

#### **AMENDMENTS TO THE AGENDA:**

Chairman Terry C Day stated that he wanted to discuss property liens.

Commissioner Linda W Zimmer stated that she wanted to discuss the Road Department loader purchase during the Prosecutor's time.

Clerk Swearingen asked if the meeting with Senator Crapo on April 23<sup>rd</sup> would need to be noticed and recorded since all three Commissioners were attending. Deputy Prosecutor Cheresse McLain stated that it was not considered a public meeting since the Commissioners would not be making any decisions. DPA McLain stated that there was no reason to notice or record the upcoming meeting with Senator Crapo.

Clerk Swearingen stated that she wanted to amend the agenda to discuss the Boise Basin Recreation District order, next week's Commissioner meeting in Horseshoe Bend and a request from a student to film an old time western movie in the Miner's Exchange.

Chairman Terry C Day made a MOTION to amend the agenda to include discussion on the Boise Basin Recreation District order, next week's Commissioner meeting in Horseshoe Bend and the request to film an old time western movie in the Miner's Exchange building. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.

**TREASURER/ASSESSOR ISSUES:** Treasurer April Hutchings presented a tax cancellation request to waive the late charges for taxes in 2005 for Kim Harder and Randy Ransom.

Commissioner Jamie Anderson made a MOTION to forgive late charges and interest for 2005 per hardship application from the property owners. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.

Assessor Brent Adamson spoke about the request for reduced value on the Quonset building located Sherill's property near Ellie's Store. He stated that the building was used to house the Valley of the Pines Volunteer Fire District fire truck. Assessor Adamson recommended that the value of the Quonset building be removed for Tax Year 2010.

**CONTRACTS/AGREEMENTS/GRANTS:** Commissioner Jamie Anderson presented the RAC application on the SH-21 wildlife underpass project. Commissioner Anderson made a MOTION that the Boise County Commissioner's submit a letter of support to the Boise River Wildlife Linkage Partnership for the RAC project. Chairman Terry C Day SECONDED. All ayes, motion carried.

Clerk Swearingen presented three CWMA agreements for the Board's review. Chairman Terry C Day made a MOTION to sign the 2010 Cooperative Weed Management Area agreements. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.

**DEMAND WARRANTS:** Clerk Swearingen presented demand warrants to pay the Boise County Sheriff's Department (\$598.31), Commercial Tire (\$128.61), Michael Johnson (\$2,753.04) and Harbor Freight Tools (\$139.99). Commissioner Linda W Zimmer made a MOTION to approve the demand warrants. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

**MINUTES:** Clerk Swearingen presented the meeting minutes for March 8<sup>th</sup>, 15<sup>th</sup>, 20<sup>th</sup>, 22<sup>nd</sup> and 29<sup>th</sup>, 2010. Chairman Terry C Day made a MOTION to approve the March 8<sup>th</sup> minutes with requested changes. Commissioner Jamie Anderson SECONDED. All ayes, motion carried. Chairman Terry C Day made a MOTION to approve the March 15<sup>th</sup> minutes. Commissioner Jamie Anderson SECONDED. All ayes, motion carried. Chairman Terry C Day made a MOTION to approve the March 20<sup>th</sup> minutes. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried. Chairman Terry C Day made a MOTION to approve the March 22<sup>nd</sup> minutes. Commissioner Jamie Anderson SECONDED. All ayes, motion carried. Chairman Terry C Day made a MOTION to approve the March 29<sup>th</sup> minutes. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

**INDIGENT - EXECUTIVE SESSION per I.C. 67-2345(1) (d):** Deputy Clerk Vedros presented Indigent case 09-11-A. Chairman Terry C Day made a MOTION to go into executive session to make a decision on Indigent case 09-11-A. Commissioner Jamie Anderson SECONDED. Roll Call vote: Chairman Terry Day-aye; Commissioner Linda Zimmer-aye; Commissioner Jamie Anderson-aye. Motion carried.

Chairman Terry C Day made a MOTION to come out of executive session. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

Chairman Terry C Day made a MOTION to approve Indigent case 09-11-A. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.

**MASS GATHERING ORDINANCE REVIEW:** The Board discussed the creation of a check list to ensure mass gathering/special event applicants had contacted all appropriate entities and organizations before seeking approval from the Board of Commissioners. Sheriff Ben Roeber, Sheriff's Deputy John Archer and Emergency Management Coordinator Gordon Ravenscroft gave their input on the ordinance.

The Board discussed how many attendees would be needed at a special event that would mandate having a mass gathering permit, the appeal of a Board denial of an application, definitions of non-commercial and commercial gatherings, and bonding.

Chairman Terry C Day stated that he would work on the draft application and Commissioner Jamie Anderson stated she would work on the check list.

Clerk Swearingen reminded the Board that the dollar amounts of the fines for violations needed to include the new fees for mental health/drug courts and ISTARs.

**REVENUE SHORTFALLS REPORT:** Chief Deputy Wendy Lee spoke about her analysis of the County's revenue and stated that the trends were stable to downward. Chief Deputy Lee reviewed each fund account and discussed budget changes and tax revenue.

**CONSTITUENT INPUT:** Jayne Reed, Garden Valley, did not have any constituent input but did play a CD of her daughter playing the harp and singing in Gaelic.

**PUBLIC HEARING – LIGHTNING CREEK SUBDIVISION:** Planning & Zoning Administrator Patti Burke presented information concerning amending for access. Ms. Burke read information from the staff report into the record about the amending of lots 47 and 48. Gary McCallister and Mr. Bentley from Rendezvous Point Subdivision were in attendance.

Commissioner Jamie Anderson disclosed that she had previously worked with Mr. Bentley. Commissioner Jamie Anderson made a MOTION to approve the amended plat for Lightning Creek Subdivision, Lots 47 & 48, with the following conditions: a) concerning Central District Health District, that the amended plat would not be platted as a new subdivision nor any changes made and that Lot 48 would stay unbuildable on the plat and remain unbuildable; b) that the final amended plat for Lightning Creek Subdivision, Lots 47 & 48, would contain all required face notes per Boise County Subdivision Ordinance 2006-2 I.C; c) that the applicant would comply with all local, state and federal requirements and permits; d) that the County Treasurer and Assessor certifications were affixed and all taxes were paid prior to the signing of the final amended plat for Lightning Creek Subdivision, Lots 47 & 48; e) that the applicant would comply with all recommendations of the County Engineer (Forsgren Associates letter dated 12-28-2009) prior to the signing of the final amended plat for Lightning Creek Subdivision, Lots 47 & 48; and f) that the final amended plat for Lightning Creek Subdivision, Lots 47 & 48, were not to be signed until all conditions were met. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.

**PUBLIC HEARING – RIC COLLIER LOT LINE VACATION:** Planning & Zoning Administrator Patti Burke presented information on the lot line vacation. Ms. Burke stated that the lot line would be permanently removed and that the applicant would not be allowed to proceed with building until all conditions had been met. The applicant stated that all conditions had been satisfied.

Commissioner Jamie Anderson made a MOTION to approve the lot line vacation application from Ric Collier to combine lots identified by parcel numbers RP061010030040A and RP061010030100A with the following conditions: that the applicant had to present to Planning & Zoning a ROS mylar showing the one new lot and an 8½ X 11 paper copy of the map; that the applicant had to provide a deed with the new legal description; and that the application must provide certification from a surveyor that all corner pins and markings from affected areas had been removed. It was further stated that the applicant would not be allowed to build until all conditions were met. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.

## **MISCELLANEOUS & CORRESPONDENCE:**

- Resolution 2010-28 April Fair Housing Month – Commissioner Linda W Zimmer made a MOTION to approve the resolution. Chairman Terry C Day SECONDED. All ayes, motion carried.
- Certificate of Residency – Chairman Terry C Day made a MOTION to approve the certificate of residency for Domeny. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.
- Payroll change requests – Chairman Terry C Day made a MOTION to approve the requests for Connie Claus, Auditor Department and Lori Thomas, Assessor Department. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.
- USDA Proposed Boise Ridge Timber Stand Improvement comment letter.
- City of Horseshoe Bend Public Hearing Notice.
- Resolution 2010-29 Sheriff Unanticipated SISK Revenue – Commissioner Linda W Zimmer made a MOTION to approve the resolution. Chairman Terry C Day SECONDED. All ayes, motion carried.
- Resolution 2010-30 Sheriff Unanticipated Inmate Trust Revenue – Commissioner Linda W Zimmer made a MOTION to approve the resolution. Chairman Terry C Day SECONDED. All ayes, motion carried.
- Squaw Creek Soil Conservation meeting agenda.
- Snowmobile Program Review.
- 2010 Gold Discovery Days information.
- Boise Basin Recreation District Order – Chairman Terry C Day made a MOTION to approve the Order. Commissioner Linda W Zimmer SECONDED. All ayes, motion carried.
- Use of Miner’s Exchange Building/Commissioners’ Chambers for shooting a short western film.

**PA ISSUES:** Deputy Prosecutor Cherese McLain spoke about the quitclaim deed from the Idaho Transportation Department. Commissioner Jamie Anderson made a MOTION to sign the quitclaim deed between the State of Idaho, Idaho Transportation Department, acting by and through the Idaho Transportation Board, and Boise County for the right-of-way starting at the junction of the Banks-Lowman Road, formerly old Highway 17, extending north towards Crouch .80 miles (also know as the Crouch Spur), project #FHP-24-A-5B. Chairman Terry C Day SECONDED. All ayes, motion carried.

Property liens were discussed for Indigent issues. The Board queried the Clerk about the contact from Mountain West Bank concerning the funding for the Road Department’s new loaders.

Chairman Terry C Day presented confidential paperwork to the other Board members concerning the Alamar Ranch federal lawsuit.

The Board recessed the meeting until 6:00 PM.

Chairman Terry C Day reconvened the meeting at 6:00 PM. Those present were Chairman Day, Commissioners Anderson and Zimmer, Clerk Swearingen, and DPA McLain.

**COMMISSIONER DISCUSSION:** Chairman Terry C Day stated that he felt that the agendas were flowing well and that amendments to the agenda should be kept to a minimum.

Commissioner Jamie Anderson stated that she was developing the next Commissioner newsletter and would review the duties of the County Clerk. Chairman Terry Day recommended that next month’s newsletter review the County’s budget process.

Commissioner Jamie Anderson also stated that she wanted the County to transfer its 457 Retirement Plan, offered through Nationwide Retirement Solutions, to the State Plan to maximize investment potential. The Board also discussed the cost of the Gem Plan and revenue shortfalls.

The Board discussed the County's budget process and Clerk Swearingen went through the steps mandated by law. Commissioner Jamie Anderson asked about levying for the Administrative fees. Clerk Swearingen stated that she had considered doing so but that a fee would have to be assessed for the Road and Bridge and Solid Waste Departments because they don't receive property tax revenue. Commissioner Anderson stated that she was tired of the complaints about the Admin fees but Chairman Terry Day stated that they were assessed equitably and fairly.

**FUTURE AGENDA TOPICS REVIEW:** Chairman Terry Day stated that he had two (2) topics for discussion at next week's meeting in Horseshoe Bend: 2011 funding for Squaw Creek and the excess funding at the RC&D.

Commissioner Jamie Anderson stated contracts were still needed for the REEZ project and the release of Forsgren Engineering from the Big Pine Creek Aquatic project. She further stated that DPA Chereese McLain needed to complete both contracts. DPA McLain stated that Trevor Howard, Forsgren Engineering, had questioned the release of Forsgren Engineering on the Big Pine project because of the year's warranty. Commissioner Anderson stated that Road Superintendent Bill Jones was monitoring the project and if needed, Mr. Jones could contact Forsgren on any problems.

Chairman Terry Day asked DPA McLain whether the P&Z Commission would be holding a public hearing on the Comp Plan since they were not able to secure a quorum at the meeting tonight.

*(This public hearing was advertised as a Joint Public Hearing of the Boise County Commissioners and the P&Z Commissioners but it was not since the P&Z Commission did not have a quorum of members present.)*

Chairman Terry Day stated that one hour needed to be set aside for Comp Plan deliberations during one meeting in the beginning of May, possibly May 3<sup>rd</sup>. DPA McLain stated that the P&Z Commission would be holding a public hearing on the Comp Plan and would submit their comments to the Board prior to the May meeting.

Commissioner Linda Zimmer requested that the Gardena Bridge project and the Gardena surplus property sale be included on next week's agenda in Horseshoe Bend. Commissioner Jamie Anderson stated that she had spoken with Jerry Flatz, LHTAC, who had stated that the Gardena Bridge project paperwork had been sent to the County prematurely and that no federal funding had yet been secured.

Commissioner Jamie Anderson requested an update on the progress of the WUI and Flood Plan ordinances. DPA McLain stated that the Flood Plan Ordinance was complete and that the WUI Ordinance was close. The Board requested that these two ordinances be included on their May 3<sup>rd</sup> agenda.

**COMMITTEE REPORTS:** Commissioner Linda Zimmer stated that she had attended the RC&D meeting, the WICAP meeting and a special WICAP Advisory Board meeting to discuss food storage.

Commissioner Jamie Anderson stated that she had attended a meeting concerning further development of the County's website, had met with retired Judge McDevitt concerning the

paperwork for the Gardena property exchange and provided information on the Dyken heating and cooling product which will be purchased with the funding from the energy grant.

Chairman Terry Day stated that he had attended the Idaho Rural Forum in Jerome and had secured some valuable information. He stated that the County needed an economic development person on staff. P&Z Administrator Patti Burke distributed information on the Rural Idaho Economic Development Professional Program.

Chairman Day also stated that he had attended an Idaho City Town Hall meeting, had met with representatives from the RC&D on the spring run-off issue on Bear Run Road and attended a Sage Board meeting. The Board also discussed the Recovery Zone funding and Commissioner Anderson stated that she had been contacted by others for a possible transfer of Boise County's allocation.

**COMPREHENSIVE PLAN PUBLIC HEARING:** After a short recess, Chairman Terry Day closed the public hearing and opened the Comprehensive Plan public hearing. He stated that there was no quorum of P&Z Commission members and requested the comments before the Board's May 3<sup>rd</sup> meeting.

Chairman Terry Day stated that he had received one email and one phone call concerning providing testimony at the public hearing; however, no one was present who wanted to speak. Chairman Day decided to forego Comp Plan Committee Co-Chair Jack Kane's introduction because no public were present. Chairman Terry Day closed the public hearing and reopened the regular meeting.

With nothing further to discuss, Chairman Terry Day adjourned the meeting at 7:13 PM until 12:00 PM on Monday, April 12<sup>th</sup>, 2010.

Approved this 26<sup>th</sup> day of April, 2010.

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

**Attest:**

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**Constance Swearingen**, Clerk to the Board