



BOISE COUNTY

BOARD OF COUNTY COMMISSIONERS

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PRESS RELEASE 9/9/11

On September 2, 2011, Bankruptcy Judge Terry L. Myers denied the County's Petition for Bankruptcy. Putting forth good faith offers, which were refused by Alamar, the Board was unable to settle the 4 million dollar judgment and requested 1.4 million dollars for attorney's fees and costs. The Board believed that the County could not satisfy this judgment and continue maintaining current County operations. The Board voted unanimously to file for bankruptcy March 1, 2011. The court's decision comes as a disappointment but despite its ultimate outcome made this finding:

The evidence demonstrates the parties had effectively reached an impasse in their negotiations, and that Alamar, through Woodard's February 24 letters and its application for the Writ, had demonstrated a sincere intent to promptly execute on its Judgment. The County's need to preserve its cash assets in order to maintain County operations uninterrupted for the benefit of its residents made further negotiations with Alamar impracticable.

The Board of County Commissioners recognizes the frustration our County residents and employees may be feeling. The *Alamar* litigation has been a long struggle and we have been working tirelessly toward the best possible resolution for Boise County and its residents.

Judge Myers disagreed with the County's belief that it could not spend funds such as those for Road and Bridge and Solid Waste because these were restricted to the uses for which the money was collected. Instead, Judge Myers held that we could spend Solid Waste funds, Road and Bridge funds, General fund moneys, and certain trust accounts collected from property taxes and other sources to pay Alamar.

At this time, the Board is exploring all of the County's options and is continuing to work on behalf of their constituents.