



# BOISE COUNTY

## RESOLUTION #2013-45

**LET IT BE KNOWN TO ALL PERSONS OF** Boise County that discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing or in the provision of brokerage services because of race, color, religion, sex, or national origin is prohibited by Title VIII of the 1968 Civil Rights Act (Federal Fair Housing law).

**WHEREAS**, it is the policy of Boise County to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, or national origin. The Fair Housing Amendments Act of 1988 expands coverage to include handicapped persons and families with children;

**NOW THEREFORE BE IT RESOLVED** that, within available resources, Boise County will assist all persons who feel they have been discriminated against because of race, color, religion, sex, national origin, handicap, or familial status to seek equity under federal and state laws by filing a complaint with the U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Compliance Division;

**AND BE IT FURTHER RESOLVED** that the Boise County Board of Commissioners does hereby adopt the Fair Housing Analysis of Impediments and Action Plan and the Transition Plan Update.

**APPROVED and ADOPTED** in open session this 2<sup>nd</sup> day of July, 2013.

### BOISE COUNTY BOARD OF COMMISSIONERS

ABSENT

Barbara M. Balding, Chair

Jamie A. Anderson  
Jamie A. Anderson, Commissioner

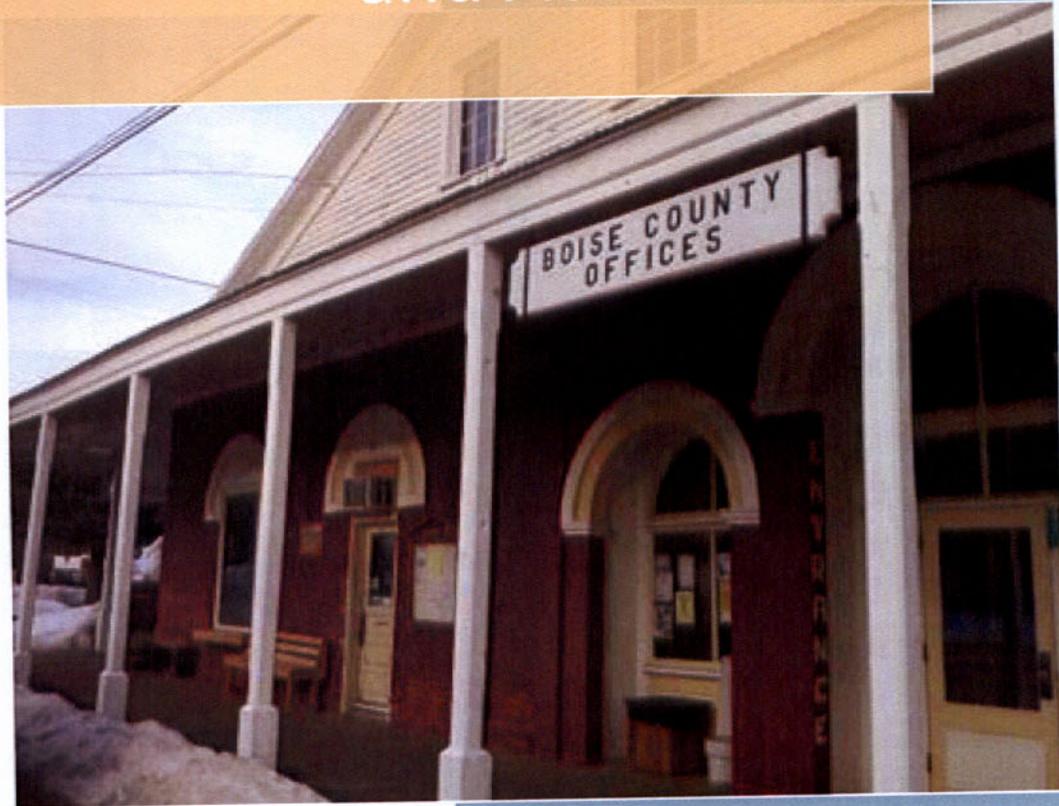
Vicki L. Wilkins  
Vicki L. Wilkins, Commissioner



Mary T. Prisco  
Mary T. Prisco, Clerk to the Board

2013

# Fair Housing Analysis of Impediments and Action Plan



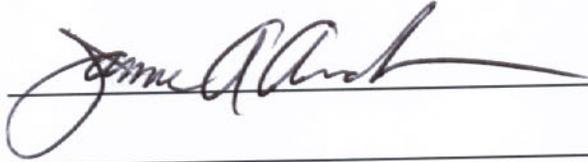
Boise County, Idaho



Created: April 2006  
Adopted: May 2006  
Amended: June 2013

This Fair Housing Analysis of Impediments and Action Plan is approved and adopted by

Resolution Number: 2013-45 on: July 2<sup>nd</sup>, 2013 by the Boise County Board of Commissioners.  
(date)

Signature of Chair: 

## Table of Contents

1.0	Introduction.....	1
2.0	Fair Housing Analysis of Impediments.....	3
	2.1 Public Sector Review	
	2.2 Private Sector Review	
3.0	Findings.....	9
	3.1 Public Sector Findings	
	3.2 Private Sector Findings	
4.0	Action Plan.....	11
	4.1 Action Strategies	

## Tables

Table A – Public Sector Review.....	3-7
Table B – Private Sector Review.....	8
Table C – Action Plan.....	11

## Appendices

Appendix A - Fair Housing Resolution; Affidavit of Publication; Proclamation of April as Fair Housing Month	
Appendix B - Fair Housing Assessment Form	
Appendix C - Fair Housing and Equal Opportunity information displayed at the Boise County Clerk's office	
Appendix D – Boise County Grievance Procedure	
Appendix E - Policy regarding non-discrimination on the basis of disability; Affidavit of publication	

## 1.0 Introduction

As a recipient of U.S. Department of Housing and Urban Development (HUD) funds through an Idaho Community Development Block Grant (ICDBG), it is a requirement that Boise County assure compliance with Title VIII, Civil Rights Act of 1968, as amended. Further, Boise County is complying with the Consolidated Submissions for Community Planning and Development Programs, 24 CFR 91.225 by developing and implementing a Fair Housing Action Plan. In order to develop a Fair Housing Action Plan, an Analysis of Impediments (AI) needs to be conducted to develop associated action strategies. According to HUD, impediments to fair housing choice are:

- Any actions, omissions, or decisions take because of race, color, religion, sex, disability, familial status, or national origin that restrict housing choices or the availability of housing choices.
- Any actions, omissions, or decisions that have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin.

### 1.1 Grantee's Fair Housing Responsibilities

When grantees receive ICDBG funding, they certify they will take actions to affirmatively further fair housing. To comply with this certification, Boise County must complete the following five steps to affirmatively further fair housing in the community:

1. Designate a Fair Housing Resource Person –Mary Prisco, Boise County Clerk/Treasurer is the county's Fair Housing Resource Person
2. Ensure Fair Housing Resolution has been adopted and that Boise County is complying with the Resolution - See Appendix A, Exhibit A
3. Complete a Fair Housing Assessment Form - See Appendix B, Exhibit B
4. Proclaim April as Fair Housing Month – See Appendix A, Exhibit C
5. Display Fair Housing Information at the Boise County Clerk's office – See Appendix C, Exhibits D and E, and the Idaho Housing and Finance Association's Accessibility Improvement Program brochure

### 1.2 History - Boise County Fair Housing Plans

In 2002, Boise County conducted an AI, and updated it in January 2006, at which time the Boise County Commissioners appointed Rora Canody, County Clerk (former) as the Fair Housing Officer for the County. A Fair Housing Advisory Committee (FHAC) was established to conduct the AI and provide guidance, direction, and review and comment in the developmental and ongoing implementation of the County's Fair Housing Action Plan.

During the AI process, policies and activities related to fair housing in Boise County were reviewed by the FHAC to discuss and document potential fair housing issues within Boise County. Local participation was emphasized as much as possible during this process. The County Clerk and representatives from Sage Community Resources reviewed local procedures and planning documents related to possible impacts to fair housing.

The purpose of the 2006 AI was to determine if any laws, regulations, administrative policies, procedures or practices present any impediments to the location, availability, and accessibility of housing within the community. Other issues reviewed were policies, procedures and practices that initially appeared neutral but may deny or adversely affect housing choice or availability for those classes of persons protected by fair housing laws.

The 2006 AI included an assessment of public and private conditions that may constitute impediments to or affect fair housing choice. The assessment involved a review of fair housing complaint statistics, fair housing survey data, and other appropriate and relevant sources of information that would identify impediments to fair housing choice.

### **1.3 2013 Fair Housing Analysis of Impediments and Action Plan**

The 2013 Fair Housing Analysis of Impediments and Action Plan is an update of the 2006 AI plan. J-U-B ENGINEERS, Inc., Mary Prisco, County Clerk/Treasurer (current), and Jamie Anderson, County Commissioner, evaluated local procedures and planning documents related to possible impacts to fair housing.

This effort includes the following activities:

1. Review and update the 2006 Boise County Fair Housing Analysis of Impediments and Action Plan.
2. Evaluate impediments to fair housing choice within the grantee's jurisdiction.
3. Create implementation/action strategies to assist Boise County with overcoming the effects of impediments.
4. Update and maintain records reflecting activities related to the analysis and actions taken to meet Boise County's obligation to affirmatively further fair housing.

## 2.0 Fair Housing Analysis of Impediments

### 2.1 Public Sector Review

This analysis includes a review of public sector-related topics as listed in the Fair Housing Assessment Form dated July 2012 (Exhibit B), in the Grant Administration Manual for Idaho Community Development Block Grants.

Table A includes an analysis of laws, regulations, administrative policies, procedures or practices that would present any perceived or real impediments to the location, availability, affordability, and accessibility of housing within the public sector of Boise County.

**Table A – Public Sector Review Impediments Analysis**

		Impediments Identified		
		Yes	No	N/A
<b>Comprehensive Plan – Adopted May 24, 2010</b>				
<b>Land Use</b>	<p>In accordance with Idaho’s Local Land Use Planning Act, Boise County has completed a comprehensive plan, which was updated in 2010.</p> <p>Boise County controls a minimal amount of land area, with 84% of its land owned by federal and state agencies and 16% of the land is privately owned.</p> <p>Boise County is within a relatively short commute to the Ada/Canyon County Boise metropolitan area.</p>		X	
<b>Housing</b>	<p><b><u>Analysis of housing conditions and needs:</u></b> A detailed housing study is not available for Boise County; however, the 2010 Comprehensive Plan provides an assessment of housing conditions, demand, affordability and future needs. Forty percent of the housing stock in Boise County was built between 1990 and 2008. In Boise County, single-family homes and mobile homes are the predominant types of housing available; however, the 2010 Comprehensive plan outlines implementation strategies that encourage low income/affordable housing, transitional housing, multiple housing units, mobile homes, elderly and/or disabled housing needs such as assisted living centers, and workforce housing.</p> <p><b><u>Provision of safe, sanitary, and adequate housing, including provision for low-cost conventional housing:</u></b> The Boise 2010 County Comprehensive plan encourages implementation of a uniform building code that would meet health and safety standards, plumbing and electrical codes, and allow for phased building over a period of time.</p> <p><b><u>Siting of manufactured housing in subdivisions, parks, and individual lots:</u></b> The Boise County Comprehensive plan allows for placement of mobile homes on single family lots as long as they meet the requirement of “rehabilitation” as directed in state law.</p>		X	

		Impediments Identified		
		Yes	No	N/A
<b>Transportation</b>	<p><b><u>Existing or proposed public transportation:</u></b> The primary public transit service in Boise County is buses operated by senior centers in the cities of Idaho City and Horseshoe Bend. These services are available for transporting senior citizens at their request. The bus service is also available for transporting disabled persons. Boise County has identified the need for a park and ride facility or vanpool program for commuters to travel to and from Ada County; however, the viability of such a program would be a challenge to support financially due to Boise County's low population density, and large geographic area.</p> <p><b><u>Representation on public transportation associations:</u></b> A County Road Citizens Advisory Committee is appointed by the County Commissioners and is composed of six members, two from each geographical area of the county. On an annual basis, the committee reviews Boise County's roadway capital improvements plan.</p> <p><b><u>Transportation Plan:</u></b> Boise County has a Transportation Master Plan that was completed in 2000. The County plans on updating the 2000 Master Transportation Plan to update roadway inventory, conduct a road condition assessment, review transportation alternatives and identify road/highway issues.</p>		X	
<b>Zoning</b>				
<b>Boise County Zoning Ordinances</b>	Boise County's Zoning and Development Ordinance was amended on March 24, 2003. The ordinance specifies allowed uses, conditional uses, and non-allowed uses in the county. The zoning map contains only one zoning classification. The result has been that some uses are permitted and other more intense uses require a conditional use permit, which is a process that allows the applicant to present their application to the Boise County Planning and Zoning Commission.		X	
<b>Mobile Home Zoning</b>	Manufactured modular homes are listed as permitted uses in Boise County's Zoning Code. Multi-family dwellings are allowed with a Conditional Use Permit (Section 1-10. Zoning and Development Ordinance).		X	
<b>Public notification for Ordinance Adoption or Amendments, and Zoning, Subdivision and Variances</b>	Boise County's Zoning and Development Ordinance requires public notification and public hearings for zoning and variance applications. The Boise County Subdivision Ordinance 2006-02, adopted December 6, 2005, requires public notification and a public hearing for subdivision applications.		X	
<b>Language</b>	According to the 2010 census, 95.7% of persons residing in Boise County are white, and 3.6% are Hispanic or Latino. The 2010 census shows that more than 97% of Boise County residents speak English as their primary language, with a 1:1 male to female ratio. The Equal Housing Opportunity Poster, in accordance with the Federal Fair Housing Law, is posted both in English and Spanish publicly.		X	

		Impediments Identified		
		Yes	No	N/A
<b>Planning and Zoning Commission</b>	<p>Because conditions for individual uses are not specified in Boise County's ordinance, oftentimes, it has been difficult to judge the impact of a proposed use upon the county. Protected classes in the Fair Housing Act would not be discriminated against in land use decisions made in Boise County.</p> <p>The Boise County Planning and Zoning department and Planning and Zoning Commissioners generally match the diversity of the community from 2010 census.</p>		X	
<b>Fair Housing Training for Planning and Zoning Commissioners and Board of County Commissioners</b>	<p>County department heads are informed regarding Fair Housing and Americans with Disabilities Act (ADA) requirements.</p> <p>All county staff members are required to participate in annual training seminars every summer provided by Idaho Fair Housing staff. This is a proactive step to review and remedy potential barriers and reduce unintended violations and exposure before injuries or complaints occur. It is the duty of Boise County to raise awareness of fair housing rights and responsibilities among staff, elected officials, housing professionals and the general public.</p>		X	
<b>Group Homes</b>	<p>Boise County Zoning and Development Ordinance No. 2001-07 has been adopted pursuant to authority granted by Title 67, Chapter 65 of the Idaho Code and Article 12, Section 2 of the Idaho Constitution, as amended or subsequently codified. Boise County's Zoning Ordinance considers Group Homes as single family dwellings for up to eight people.</p>		X	
<b>Accessory Dwelling Units</b>	<p>Boise County does not have multiple zoning designations; rather, the zoning ordinance lists several different types of land uses (i.e. agricultural, temporary, residential, civic, commercial and industrial), that are either an "allowed use", or an allowed use through the "conditional use" process.</p> <p>Zoning Ordinance No. 2001-07 permits accessory structures as an allowed use; however, additional accessory dwelling units are allowed through the subdivision process. Group homes are listed as an allowed use for up to eight people. Multi-family dwellings are allowed with a conditional use permit.</p> <p>There are no minimum requirements for off-street parking and/or loading facilities for single-family and two-family dwellings in Boise County.</p>		X	
<b>Land Use Planning Staff</b>	<p>The Boise County Planning and Zoning department is currently staffed with an Interim Planning Administrator, a planning technician, and a temporary employee who is a land use planner with two professional certifications - Certified Floodplain Manager (CFM) and Professional Community and Economic Developer (PCED).</p>		X	
<b>Building Codes</b>				
<b>International Building Code</b>	<p>Commercial/civic buildings must be constructed according to building codes as adopted in Idaho Code Title 39, Chapter 41. Residential buildings are subject to building codes and inspection upon an owner choosing to receive a certificate of occupancy.</p>		X	

		Impediments Identified		
		Yes	No	N/A
<b>Code provisions for accessibility standards for residential homes</b>	Boise County does not have any specific codes that require accessibility for residential homes; however, an applicant requesting a building permit may request a residential building permit to include inspections and a certificate of occupancy that comply with building codes and accessibility standards. As growth occurs, building codes may be considered, adopted and enforced in Boise County.		X	
<b>Housing – Reasonable Accommodations</b>				
<b>Idaho Housing and Finance Association (IHFA) Accessibility Improvements Program</b>	Boise County has information about the Idaho Housing and Finance Association's (IHFA) Accessibility Program. Brochures are available for the public at the Boise County Clerk's office.		X	
<b>County Services</b>				
<b>Utilities</b>	All lots and parcels should be provided with access to utility services including water supply and sewer, as approved by the Central District Health.		X	
<b>Police and Fire</b>	Boise County has its own Sheriff Department. This Department provides uniform service and does not discriminate against any of the protected classes. Fire service is contracted with neighboring fire departments (e.g. City of Boise Fire Department) and is augmented with local volunteer fire departments.		X	
<b>Property Tax Policies</b>				
<b>Residential Property Tax Exemption (Homeowner's Exemption)</b>	No evidence was found by any tax policy provisions negatively affecting protected classes.  Boise County's primary residents can fill out the Homeowner's Exemption application and return the form to the Boise County Assessor's Office before mid-April.		X	
<b>Circuit Breaker Exemption</b>	A Circuit Breaker Exemption application is available for individuals who meet certain income and other qualifications to fill out and return to the Boise County Assessor's Office in mid-April of each year.		X	
<b>Fair Housing Education and Outreach</b>				
<b>Fair Housing Resolution</b>	Boise County adopted Fair Housing resolution No. 2013-32 on March 12, 2013. This resolution was published in <i>The Idaho World</i> newspaper on May 1, 2013.		X	
<b>Progress on accomplishing Fair Housing activities</b>	Boise County has accomplished many favorable fair housing activities in many ways by updating their comprehensive plan to further fair housing, passing resolution, and updating this Fair Housing Plan.		X	
<b>Fair Housing Month Proclamation</b>	Boise County adopted Resolution No. 2013-31 on March 12, 2013, proclaiming April as fair housing month. This resolution is updated and passed by the Boise County Commissioners on an annual basis.		X	

		Impediments Identified		
		Yes	No	N/A
<b>Anti-Displacement and Relocation Plan</b>	<p>Boise County adopted the Residential Anti-Displacement and Relocation Assistance Plan Resolution #2001-10 on February 20, 2001; this was published on August 3, 2005; and passed and published again in April 2013.</p> <p>Boise County Resolution #2001-36, Establishing a Grievance Procedure to meet the Requirements of Section 504 of the Rehabilitation Act as Amended and the ADA of 1990 was adopted August 27, 2001; it was published on August 3, 2005; and passed and published in April 2013.</p>		X	
<b>Equal Opportunity and 211 Posters</b>	Equal Opportunity posters (in both English and Spanish) are displayed at the Boise County Clerk's office.			
<b>Additional Fair Housing Items</b>				
<b>Boise County Fair Housing Issues</b>	<p>Between January 12, 1995 and December 31, 2003, four (4) fair housing complaints were filed in Boise County with the HUD Officer of Fair Housing and Equal Opportunity. In calendar year 2004, there was one (1) complaint filed in Boise County. In 2009, Boise County received a complaint and demand for jury trial. The plaintiff was Alamar Ranch LLC, alleging a zoning dispute related to a conditional use permit. The case was settled in 2012. Currently, there are no known fair housing disputes in Boise County.</p> <p>In addition to the various choices of housing for sale in Boise County, there are a limited number of affordable rental units available per a sliding scale, project based assistance. There are 16 total units of sliding-scale, project based assistance. These units include 14 family units and two (2) units designated as ADA accessible.</p>		X	
<b>Public Housing Authority or Other Housing Agency</b>	The Idaho Housing and Finance Association (IHFA) expands Idaho's affordable housing opportunities by providing vision and leadership, which result in the following: identifying, securing and administering monies for housing; cultivation partnerships through excellent customer service; creatively and innovatively maximizing limited resources; providing education, training, resource coordination and policy formulation on housing issues affecting Idahoans.		X	
<b>Sale of Subsidized Housing and Possible Displacement</b>	<p>There have been no recent sales of subsidized housing, nor are there any pending sales.</p> <p>The U.S. Department of Housing and Urban Development (HUD) website shows twenty-seven (27) homes for sale in the Boise County area in January 2013. Currently, there are seven (7) foreclosures, fourteen (14) pre-foreclosures, one (1) due to bankruptcy, two (2) short sales, and three (3) rent-to-own properties listed.</p>		X	

## 2.2 Private Sector Review

Table B includes information related to private sector-related fair housing issues in Boise County.

**Table B – Private Sector Review Impediments Analysis**

	Impediments Identified		
	Yes	No	N/A
<b>Fair Housing Enforcement</b>			
Fair Housing enforce is an on-going practice through the Board of Realtors. Acceptable words and phrasing used in advertisements are provided by the Board's computer software.		X	
Boise County does not have any financial institutions within its jurisdiction.			
<b>Newspaper Advertisements</b>			
The Idaho World, Boise County's local newspaper, has a very limited number of rental and real estate ads.			
The newspaper does have the equal housing opportunity logo on its computer system and could print notice if requested to. According to the Publisher, they do not have any formalized procedures to monitor classifieds, although his review of ads did not produce any restrictive verbiage.		X	
<b>Restrictive Covenants</b>			
Upon review of all known covenants, conditions, and restrictions (CC&Rs) pertaining to subdivision within the County of Boise (2006), there were no impediments identified. In addition, Boise County does not enforce CC and R's associated with private developments.		X	
<b>Real Estate Practices</b>			
Under real estate practices, the Boise County Association of Realtors (BCAR) continues to advertise the Fair Housing ad quarterly in the newspaper. The BCAR also checks remarks and directions of ads of property listings for words that do not comply with Fair Housing standards.		X	
Each quarter, BCAR has new membership orientation, with a half hour devoted to Fair Housing law. Each BCAR office has the Fair Housing logo displayed.			

### 3.0 Findings

Boise County is an area with a large amount of public land, accounting for nearly 84% (U.S. Forest, Bureau of Land Management, and State of Idaho) of the county. Private land ownership makes up only about 16% of the county. Affordable housing is limited in Boise County, particularly due to the rural nature of the community, large amount of public land and the minimal likelihood of new multi-family developments occurring.

#### 3.1 Public Sector Review Findings

Based upon review of current public policies and procedures, there were no impediments identified; however, the following findings identify areas that appear to have room for improvement to further fair housing in the community:

1. **Comprehensive Plan / Transportation** - Public transportation choices are limited to senior bus services. In addition, the county's Transportation Plan needs to be updated from 2000. Striving to attract additional public transportation resources to Boise County is encouraged.
2. **Zoning Code** – Two items were identified for potential improvement in Boise County's zoning code:
  - a. Boise County's zoning map contains only one zoning classification. The result has been that some uses are permitted and other more intense uses require a conditional use permit, which is a process that allows the applicant to present their application to the Boise County Planning and Zoning Commission. One of the potential pitfalls of having only one zoning classification is that it leaves room for more interpretation and less certainty about what types of uses and/or buildings are allowed in certain areas. This limits the county's ability to show that certain zoning classifications allow for certain types of land uses associated with persons or uses that are protected by fair housing-related laws.
  - b. Clarity about accessory dwellings - Zoning Ordinance No. 2001-07 permits accessory *structures* as an allowed use; however, additional accessory *dwelling units* are allowed through the subdivision process. Group homes are listed as an allowed use for up to eight people. Multi-family dwellings are allowed with a conditional use permit. This ordinance should be clarified to show is what circumstance (i.e. minimum property size, dimensional standards, etc.), other than the subdivision process, would allow for accessory dwellings on the same lot. For example, the Boise County ordinance identifies a minimum of two acres for a single-family residence. Does this mean that if a property owner has four acres, that one accessory dwelling is allowed on that lot (a total of two dwellings on the four-acre lot)?
3. **Building Code** - Commercial/civic buildings must be constructed according to building codes as adopted in Idaho Code Title 39, Chapter 41. Residential buildings are subject to building codes and inspection upon an owner choosing to receive a certificate of occupancy. Boise County does not have any specific accessibility standards for residential homes; however, an

applicant requesting a building permit may request a residential building permit to include inspections and a certificate of occupancy that comply with building codes and accessibility standards. As growth occurs, Boise County should consider adopting accessibility standards, the International Building Code, or portions of the International Building Code that include health, safety, and accessibility standards.

- 4. Fair Housing - Education and Outreach / Additional Fair Housing Items** – Boise County should continue to display fair housing educational materials at the Boise County Clerk’s office. The County should continue to pass resolutions on an annual basis, proclaiming April as Fair Housing month in Boise County. Boise County should encourage eligible residents to apply for funding through the Idaho Housing and Finance Accessibility Improvements Program to assist with accessibility issues at their residences.

### **3.2 Private Sector Review Findings**

Based upon review of current private sector information, there were no impediments identified. Continued distribution of literature to property managers on Fair Housing should always be encouraged. No specific impediments were discovered in this analysis.

## 4.0 Action Plan

### 4.1 Action Strategies

It should be noted that Boise County updated their Comprehensive Plan in 2010, which addressed issues identified by the Fair Housing Analysis of Impediments Plan completed in 2006. Action plan items associated with this analysis are listed in Table C below.

**Table C – Action Plan**

Item No.	Objective	Timeframe	Resources Needed	Involved Parties
1	Comprehensive Plan / Transportation Plan update (2000); evaluate public transportation resources	2014-2015	Funding (potentially from the Local Highway Technical Assistance Council)	Boise County staff, citizens of the community, consultant
2, 3	Zoning Code and Building Code Review	2014-2016	County funds if a consultant is desired; staff's time from the planning and zoning department	Boise County staff, citizens of the community, potential consultant, building inspector
4	Fair Housing - Education and Outreach / Additional Fair Housing Items	2013-ongoing	County staff time, printing of materials	County Clerk, County Commissioners
-	Continue implementation of the Boise County Transition Plan – improve accessibility	2013-2017/Ongoing	County funds	County Commissioners and County Staff

## APPENDIX A

- ❖ Fair Housing Resolution
- ❖ Affidavit of Publication
- ❖ Proclamation of April as Fair Housing Month



# BOISE COUNTY

## RESOLUTION #2013-32

### **A BOISE COUNTY RESOLUTION TO DECLARE NONDISCRIMINATION IN THE SALE, RENTAL, LEASING OR FINANCING OF HOUSING OR LAND TO BE USED FOR CONSTRUCTION OF HOUSING OR IN THE PROVISION OF BROKERAGE SERVICES**

**LET IT BE KNOWN TO ALL PERSONS OF** Boise County that discrimination on the basis of race, color, religion, gender or national origin in the sale, rental, leasing or financing of housing or land to be used for construction of housing or in the provision of brokerage services is prohibited by Title VIII of the 1968 Civil Rights Act (Federal Fair Housing Law).

It is the policy of Boise County to encourage equal opportunity in housing for all persons regardless of race, color, religion, gender or national origin. The Fair Housing Amendments Act of 1988 expands coverage to include disabled persons and families with children. Therefore, Boise County does hereby pass the following Resolution.

**BE IT RESOLVED** that within available resources Boise County will assist all persons who feel they have been discriminated against because of race, color, religion, gender, national origin, disability or familial status to seek equity under federal and state laws by referring them to the U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Compliance Division.

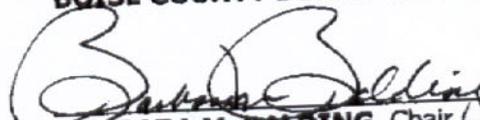
**BE IT FURTHER RESOLVED** that Boise County shall publicize this resolution and through this publicity shall encourage owners of real estate, developers and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law and amendments and any applicable state or local laws or ordinances.

**SAID PROGRAM** will, at a minimum, include: 1) publicizing this resolution; 2) posting applicable fair housing information in prominent public areas; 3) providing fair housing information to the public; 4) preparing a fair housing assessment; and 5) declaring April as Fair Housing Month.

**EFFECTIVE DATE:** This resolution shall take effect as of April 1<sup>st</sup>, 2013 and shall rescind Resolution #2006-33, dated April 10<sup>th</sup>, 2006.

**APPROVED and ADOPTED** in Open Session on March 12<sup>th</sup>, 2013.

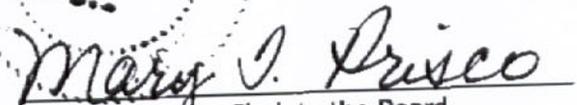
**BOISE COUNTY BOARD OF COMMISSIONERS**

  
**BARBARA M. BALDING, Chair**

  
VICKI L. WILKINS, Commissioner

  
JAMIE A. ANDERSON, Commissioner



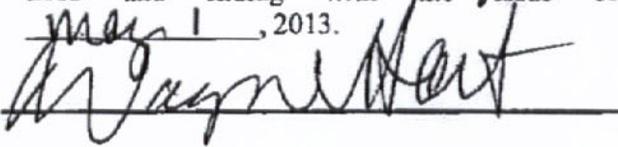
  
Mary T. Prisco, Clerk to the Board

# The Idaho World

P.O. Box 50248  
Boise, ID 83705  
(208) 429-1606

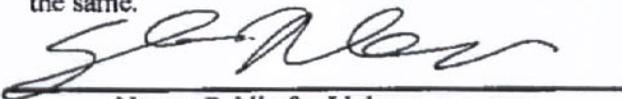
State of Idaho )  
                          )  
County of Boise )

Wayne Hart, being duly sworn, deposes and says: that he is the Publisher of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for one (1) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with may 1, 2013 and ending with the issue of may 1, 2013.



State of Idaho )  
                          )  
County of Ada )

On this 17 day of May in the year 2013, before me, a notary public, personally appeared Wayne Hart known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Notary Public for Idaho  
Residing at Boise, Idaho  
Commission Expires 03-06-2019

## BOISE COUNTY RESOLUTION #2013-32

A BOISE COUNTY RESOLUTION TO DECLARE NONDISCRIMINATION IN THE SALE, RENTAL, LEASING OR FINANCING OF HOUSING OR LAND TO BE USED FOR CONSTRUCTION OF HOUSING OR IN THE PROVISION OF BROKERAGE SERVICES.

LET IT BE KNOWN TO ALL PERSONS OF Boise County that discrimination on the basis of race, color, religion, gender or national origin in the sale, rental, leasing or financing of housing or land to be used for construction of housing or in the provision of brokerage services is prohibited by Title VIII of the 1968 Civil Rights Act (Federal Fair Housing Law). It is the policy of Boise County to encourage equal opportunity in housing for all persons regardless of race, color, religion, gender or national origin. The Fair Housing Amendments Act of 1988 expands coverage to include disabled persons and families with children. Therefore, Boise County does hereby pass the following Resolution.

BE IT RESOLVED that within available resources Boise County will assist all persons who feel they have been discriminated against because of race, color, religion, gender, national origin, disability or familial status to seek equity under federal and state laws by referring them to the U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Compliance Division.

BE IT FURTHER RESOLVED that Boise County shall publicize this resolution and through this publicity shall encourage owners of real estate, developers and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law and amendments and any applicable state or local laws or ordinances.

From page 3  
RAM will, at a minimum, publicizing this resolution; applicable fair housing information in prominent public areas; fair housing information to preparing a fair housing and a) departing April as Month.  
DATE: This resolution shall be adopted on March 12, 2013 and shall be published in the Idaho World on 3/17/2013  
and ADOPTED in Open March 12, 2013  
the Idaho World 3/17/2013

SHAUN MILLER  
NOTARY PUBLIC  
STATE OF IDAHO



# BOISE COUNTY

## RESOLUTION #2013-31

### A BOISE COUNTY RESOLUTION TO DECLARE APRIL FAIR HOUSING MONTH

**WHEREAS**, the year 2013 marks the 45<sup>th</sup> anniversary of the passage of Title VIII of the Civil Rights Act of 1968, commonly known as the Federal Fair Housing Act; and

**WHEREAS**, the Idaho Human Rights Commission Act has prohibited discrimination in housing since 1969; and

**WHEREAS**, equal opportunity for all – regardless of race, color, religion, sex, disability, familial status or national origin – is a fundamental goal of our nation, state and Boise County; and

**WHEREAS**, equal access to housing is an important component of this goal - as fundamental as the right to equal education and employment; and

**WHEREAS**, housing is a critical component of family and community health and stability; and

**WHEREAS**, housing choice impacts our children's access to education, our ability to seek and retain employment options, the cultural benefits we enjoy, the extent of our exposure to crime and drugs, and the quality of health care we receive in emergencies; and

**WHEREAS**, the laws of this nation and our state seek to ensure such equality of choice for all transactions involving housing; and

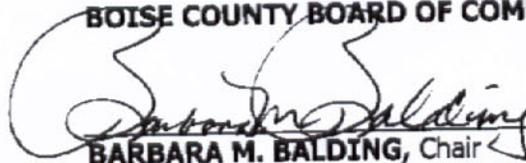
**WHEREAS**, ongoing education, outreach and monitoring are key to raising awareness of fair housing principals, practices, rights and responsibilities; and

**WHEREAS**, only through continued cooperation, commitment and support of all Idahoans can barriers to fair housing be removed; and

**NOW THEREFORE BE IT RESOLVED** that the Boise County Board of Commissioners does hereby proclaim the importance of FAIR HOUSING in Boise County, State of Idaho and further declares April to be Fair Housing month.

**APPROVED and ADOPTED** in Open Session on March 12<sup>th</sup>, 2013.

**BOISE COUNTY BOARD OF COMMISSIONERS**

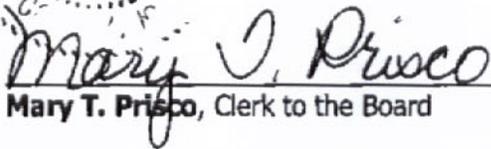
  
**BARBARA M. BALDING**, Chair



**VICKI L. WILKINS**, Commissioner



**JAMIE A. ANDERSON**, Commissioner



**Mary T. Prisco**, Clerk to the Board

## APPENDIX B

- ❖ Fair Housing Assessment Form

## Fair Housing Assessment

Typical impediments to fair housing that Cities / Counties directly confront include local zoning restrictions, inadequate transportation, and employment centralization. In your communities' efforts to Affirmatively Further Fair Housing, you will need to review the communities' land use tools, tax policies, and educational efforts to identify if there is an impediment. If any impediments are identified, it is the expectation that the City / County will address this issue in an effective and timely manner. Review the following background information and respond to the following questions regarding your City / County.

### Background – Court Cases and 2011 Analysis of Impediments:

Fair housing issues are not just between a landlord and tenant read the following two examples where Idaho local governments violated the fair housing act.

**United States v. City of Payette, Idaho (Disability).** In the summer and fall of 2001, Ms. \*Smith sought to open and operate a group residence called Harbor House in Payette, Idaho. The purpose of Harbor House was to house and counsel persons recovering from alcohol and drug dependency. Harbor House was to be operated from a single-family residence owned by Ms. Smith and her husband Mr. Smith. City officials told Ms. Smith that she would need a conditional use permit (CUP) before she could open Harbor House, so she applied for one. The Payette Planning and Zoning Commission denied Ms. Smith's application for a CUP.

In August 2001, the Payette City Council held a public hearing on Ms. Smith's application to operate Harbor House. At the hearing, Ms. Smith explained that Harbor House would forbid drug or alcohol use, and its residents would be former alcoholics or drug addicts who were recovering from their addiction. Area residents who attended the hearing, as well as the earlier Planning and Zoning Commission meeting, made numerous comments indicating opposition to the proposed group home based on the fact that the prospective residents of the home would be persons with disabilities. The city claimed that the group home was a "commercial" entity that didn't belong in a residential neighborhood, although the city had previously allowed other commercial businesses to open in residential neighborhoods. In August 2001, Ms. Smith filed a timely complaint with HUD. Upon finding reasonable cause for discrimination based on disability, the case was referred to the DOJ.

In September 2003, the court entered a consent decree requiring the city to: allow the group home to open at its originally requested location; comply with the provisions of the FHA; notify the United States of any applications for permits and zoning requests relating to group homes; and train city employees and officials on the requirements of the FHA. The defendant also paid \$15,000 to the owner/operators of the facility, and a civil penalty of \$5,000 to the United States. The consent decree remained in effect for three years. \*(name was changed)

**Alamar Ranch LLC v. Boise County (Disability).** In November 2009 plaintiffs, Alamar Ranch, LLC (Alamar Ranch) filed a lawsuit alleging that Boise County (defendant) violated the FHA by changing a conditional use permit (CUP) to mandate unfeasible design elements in order to construct a residential treatment center for troubled youth and youth with substance abuse problems. The CUP approved by the defendants stated that Alamar Ranch could have no more than 24 beds (the original permit was for 72 beds), must keep a fire truck on site and build a helicopter landing pad. Based on these elements, which made the development prohibitively expensive, Alamar Ranch alleged that the defendant denied reasonable accommodation to handicapped persons.

In April 2010, the court ruled on motions calling for summary judgment on whether the plaintiffs were aggrieved persons, whether the future residents of Alamar Ranch were actually handicapped and therefore denied reasonable accommodation, whether disparate impacts and treatment exist, and whether punitive damages may be assessed. The court found that Alamar Ranch is an aggrieved person; there was sufficient material evidence to prove future residents would classify as handicapped and therefore may have been denied reasonable accommodation as well as sufficient evidence to prove disparate impacts and treatment. The court ruled that the taxpayers did not share in the responsibility for the augmented CUP and there was no basis to find an exception to the public policy against punitive damages awards against municipalities. In other words, no punitive damages could be awarded in this case, however compensatory damages could result. Although the court identified that sufficient evidence existed to argue the claims of the plaintiff (except for the issue of punitive damages), the court deferred the final ruling to a jury trial.

Throughout 2010, the plaintiffs and defendants filed numerous pretrial motions establishing what evidence and testimony would be allowed in the upcoming trial. In late December 2010 a trial was held to resolve the FHA issues. The jury trial commenced, alleging three separate violations of the FHA: (1) failure to make reasonable accommodations, (2) disparate treatment of the handicapped (3) and intentional interference with the construction of handicapped housing. The jury ruled in favor of Alamar Ranch on all counts and returned a verdict awarding \$4 million in damages. Many feel the outcome might have been different with a more complete understanding of fair housing law at the outset. In November, 2011, Judge Lynn Winmill ordered Boise County to levy a tax on its property owners to repay the estimated \$5.4M resulting from the court case.

#### **State of Idaho's 2011 Analysis of Impediments to Fair Housing Choice**

The 2011 Analysis of Impediments (2011 AI) examined policies and practices among Idaho's counties and housing industry to determine potential barriers to fair and equal access to housing for all Idahoans. This process was coordinated by the Idaho Housing and Finance Association (IHFA) and the Department of Commerce (Commerce), with active involvement of Idaho's entitlement cities and other housing and community stakeholders. The goals of this process was to provide practical strategies that increase compliance with fair housing law, reduce discrimination and liability, and make efficient use of scarce resources.

The full document is available for your review at [www.commerce.idaho](http://www.commerce.idaho). A summary overview related to local government considerations for fair housing compliance is available at Exhibit F.

#### **Fair Housing Resource Person**

Has the City / County appointed their fair housing resource person? Yes  No

Who is the person? Mary Prisco

What is the person's job title? Clerk, Ex Officio Auditor, Recorder

Has the fair housing resource person read the Fair housing compliance: Local government considerations overview, see Exhibit F. Yes  No

Has the fair housing resource person toured the Idaho Fair Housing Forum website? The website is located at [www.fairhousingforum.org](http://www.fairhousingforum.org). Yes  No

Has the fair housing resources person toured the HUD fair housing website at [www.hud.gov/offices/fheo/index.cfm](http://www.hud.gov/offices/fheo/index.cfm)?

Yes  No

Has the person signed up for the fair housing news feeds?

Yes  No

Does the City / County provide for fair housing training to this individual?

Yes  No

### Comprehensive Plan

In accordance with Idaho's Local Land Use Planning Act, has the City / County completed a comprehensive plan?

Yes  No

When was the plan last updated? May 24, 2010

Does the housing component of the plan cover the following?

An analysis of housing conditions and needs.

Yes  No

Plans for the provision of safe, sanitary, and adequate housing, including provision for low-cost conventional housing.

Yes  No

Siting of manufactured housing in subdivisions, parks, and individual lots.

Yes  No

Does the transportation component of the plan cover existing or a proposed system of public transportation or other transit lines?

Yes  No

### Zoning

Does the City / County have an existing zoning ordinance?

Yes  No

Does the ordinance identify zoning for mobile homes?

Yes  No

Is the ordinance in compliance with the Idaho's Local Land Use Planning Act (1995), thereby, treating manufactured homes the same as stick built homes for the purposes of land use regulations?

Yes  No

Is public notice required for ordinance adoption or amendments for zoning, subdivision, variances?

Yes  No

If 5% of the City / County residents speak a given language other than English as their primary language, are public notices provided or translated in the applicable given language? N/A

Yes  No

If the City / County has a planning and zoning board, does the board make-up match the diversity of the community?

Yes  No

Does the City / County provide fair housing training to the planning and zoning board and city council or county commissioners?

Yes  No

Does the zoning allow for group homes in a residential district or district(s) as per Idaho Statute Title 67 Chapter 65? Yes  No

*Group housing.* The zoning code should clarify that housing for groups protected by the Fair Housing Act Amendments of 1988 are treated as residential uses, and should generally allow those group housing uses in at least one residential district. While some communities require a special permit for these uses, others find that they can be allowed by right provided that they comply with standards limiting scale, character, and parking. Failure to provide for these uses in the code could subject the city and county to a developer's request for "reasonable accommodation" under the Act, and failure to provide "reasonable accommodation" could be a violation of federal law. In light of the aging of the American population, the code should also provide areas where congregate care, nursing home, and assisted living facilities may be constructed.

Does the City/ County zoning allow for Accessory Dwelling Units? Yes  No

*Accessory Dwelling Units.* The zoning code should allow accessory dwelling units in at least one zone district – either as an additional unit within an existing home structure or in an accessory building on the same lot. While some communities require a special permit for these uses, others find that they can be allowed by right provided that they comply with standards limiting scale, character, and parking.

Does the City / County have a land-use planner? Yes  No

Is the planner AICP certified? Yes  No   
PCED, CFM- Planner II

### Building Codes

Has the City / County adopted international building code 2001 including any subsequent updates or modifications to the code? Yes  No   
Note: IBC 2001 incorporates the fair housing accessibility standards.

Does the City / County have a single family home provision that encourages that newly construction homes meet certain accessibility standards such as: Yes  No 

- Zero-step entry at least one entrance
- Reinforced walls in bathrooms so it's easy to install grab bars
- Hallways 36 inches wide throughout the main floor
- Switches no higher than 48 inches

If no provision, is it a standard the City / County would consider in the future? Yes  No

### Housing – Reasonable Accommodations

Does the City /County have information about the Idaho Housing and Finance Association's (IHFA) Accessibility Improvements Program? Yes  No

This program will help fund accessibility improvements for disabled homeowners or renters when funds are available. If not, ensure the (City / County) has a brochure. Brochures can be downloaded from [http://www.ihfa.org/grants\\_accessibility.asp](http://www.ihfa.org/grants_accessibility.asp).

**Transportation**

Are there public transportation options available for individuals within the community? Yes  No

If not, are there any future plans to add public transportation? Yes  No

Does the City / County have representation on public transportation associations such as the Community Mobility Advocacy Association or public transportation advisory council? Yes  No

Does your community have a transportation plan? Yes  No

**Property Tax Policies**

Does the County have in place procedures and personnel to advise the public of property tax reductions available to property owners and to assist the property owners in receiving the benefit of these programs?

Residential Property Tax Exemption (Homeowner's Exemption) – this program allows a percentage or amount reduction off a property owner's assessed value, thereby reducing the amount of tax paid? Yes  No

Circuit Breaker Exemption – property tax reduction for individuals who meet certain income and other qualifications? Yes  No

**Fair Housing Education and Outreach**

Has the City / County adopted and published a Fair Housing Resolution? Yes  No

Has the City / County accomplished (or will accomplish) the activities identified in the resolution? Yes  No

Has the City / County adopted the Fair Housing Proclamation proclaiming April as Fair Housing Month? Yes  No

Has the City / County adopted either their own or the state's Anti-Displacement and Relocation Plan? Yes  No

Does the City / County have available for public view the English and Spanish version of the Equal Housing Opportunity poster? See Exhibit "D" and "E" or go to website [www.hud.gov/offices/fheo/promotingfh.cfm](http://www.hud.gov/offices/fheo/promotingfh.cfm). Click on Fair Housing Poster. Yes  No

Does the City / County have available for public review the 211 Poster? Yes  No

Is there a Board or Association of Realtors who represent the City / County area? Check [www.ired.com/boards/id.htm](http://www.ired.com/boards/id.htm) or [www.idahorealtors.com](http://www.idahorealtors.com). Yes  No   
Note: These websites may not list all boards or associations.

If yes, who is it? Garden Valley Properties

Do they offer or market fair housing training opportunities to its members? Yes  No

Does the board monitor and review real estate publications to ensure nondiscriminatory advertising practices? Yes  No

Does it educate and encourage its members to follow the National Association of Realtor Code of Ethics? Yes  No

If you've answered "No" on any of these questions, your community may have impediments that are not allowing it to affirmatively further fair housing. Determine if the "No" response is an actual impediment for the community. If you have determined the "No" response to be an impediment, identify how the City / County will overcome or mitigate the impediment.

#### Action Items

Impediment #1: Comprehensive Planning/Public Transportation

Planned action to overcome or mitigate: Update 2000 Transportation – evaluate public transportation resources.

Estimated Timeline to complete: Two years

Impediment #2: Zoning Code and Building Code Review

Planned action to overcome or mitigate: Review and update zoning code and consider adopting building code standards

Estimated Timeline to complete: Two-Three years

Impediment #3: \_\_\_\_\_

Planned action to overcome or mitigate: \_\_\_\_\_

Estimated Timeline to complete: \_\_\_\_\_

**Previous Actions or Mitigation Measures:** Identify previous actions or mitigation measures the City / County has implemented to further fair housing. Examples: Completed fair housing outreach plan in 2010 and the Planning and Zoning commissioners attended fair housing training in 2012. Boise County updated their Comprehensive Plan in 2010, which was identified as an impediment in the Boise County Fair Housing Assessment in 2006.

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Other than the fair housing resource person and grant administrator, identify individuals or agencies that provided information or assisted in completing this fair housing assessment. Jamie Anderson, Boise County Commissioner, provided insight about the Alamar Ranch complaint; staff from the Idaho Department of Commerce provided a copy of the 2006 Boise County Fair Housing Assessment; and representatives from the Idaho Realtors Association provided realtor and market information. Several individuals were involved in developing the Fair Housing Assessment in 2006.

This Fair Housing Assessment has been completed and developed by:

Signatures: Mary V. Prisco L. Pachman  
Fair Housing Resource Person Grant Administrator  
7/2/13 07/11/13  
Date Date

## APPENDIX C

- ❖ Fair Housing and Equal Opportunity information displayed at the Boise County Clerk's office



## EQUAL HOUSING OPPORTUNITY

We Do Business in Accordance with the Federal Fair  
Housing Law  
(The Fair Housing Amendments Act of 1988)

**It is Illegal to Discriminate Against any Person Because of Race, Color, Religion, Sex, Disability, Familial Status or National Origin.**

- In the sale or rental of housing or residential lots
- In the provision of real estate brokerage services
- In advertising the sale or rental of housing
- In the appraisal of housing
- In the financing of housing
- Blockbusting is also illegal

Contacts:

Idaho Human Rights Commission      -or-  
Phone: (208) 334-2873

HUD Office of Fair Housing and Equal Opportunity  
Phone: (206) 442-0226  
Toll Free: 1-800-424-8590

Anyone who feels he or she has been discriminated  
Development  
against may file a complaint of housing discrimination  
with the:

U.S. Department of Housing and Urban  
Assistant Secretary for Fair Housing and Equal  
Opportunity  
Washington, D.C. 20410

Previous editions are obsolete

for HUD-928.1 (3-89)



## IGUALDAD DE OPORTUNIDADES EN VIVIENDAS

### Conducimos Nuestros Negocios de Acuerdo con la Ley Federal de Viviendas Equitativas

(Título VII De La Ley De Derechos Civiles de 1968 según enmendado  
por el Acto Nacional de Vivienda de 1974)

**ES ILEGAL DISCRIMINAR CONTRA CUALQUIERA  
PERSONA POR RAZON DE SU RAZA, COLOR,  
RELIGION, SEXO, O SU ORIGEN NACIONAL**

FAMILIAS CON NIÑOS O PERSONAS CON IMPEDIMENTO MENTAL O FISICO

- En la venta o alquiler de viviendas o solares residenciales
- En anuncios para la venta o alquiler de viviendas
- En el financiamiento de viviendas
- En la provisión de servicios de agentes de bienes raíces

“BLOCKBUSTING” es también ILEGAL

La persona ofendida puede someter una Queja (Querella) de discriminación en vivienda con:

U.S. Department of Housing and Urban Development  
Assistant Secretary for Fair Housing and Equal Opportunity  
Washington, D.C. 20410

Contacts:

Idaho Human Rights Commission  
Phone: (208) 334-2873

-or-

HUD Office of Fair Housing and Equal Opportunity  
Phone: (206) 442-0226  
Toll Free: 1-800-424-8590

Previous editions are obsolete

for HUD-928.1A (7-75)

Idaho Housing and Finance Association, a financial services and housing business organization, provides funding for affordable housing in communities where it is most needed and when economically feasible. IHFA is a self-supporting corporation that must generate all revenue necessary to cover the cost of its operations. It does this by earning fees for work performed and does not use any state-appropriated funds for its operations.



*Making Homes More Accessible*

# Accessibility Improvements Program



## Accessibility Improvements Program

P.O. Box 7899  
(565 W. Myrtle)  
Boise, Idaho 83707-1899  
208-331-4881  
1-877-447-2687  
Hearing Impaired  
1-800-545-1833, Ext. 400  
[www.ihfa.org](http://www.ihfa.org)



**Idaho Housing  
and Finance**  
Association  
[www.ihfa.org](http://www.ihfa.org)



P.O. Box 7899  
(565 W. Myrtle, 83702)  
Boise, ID 83707-1899  
208-331-4881  
Toll-Free 1-877-447-2687



The Accessibility Improvements Program is a source of grant funding available to help persons with disabilities make their homes easier to live in. The program is sponsored by Idaho Housing and Finance Association (IHFA) and the U.S. Department of Housing and Urban Development (HUD). Independent living centers across the state are providing local administrative services to the program.

### **Who is eligible?**

Renter or homeowner households:

- with at least one member with a disability who would benefit from adaptive modifications being made to the housing unit;
- with household income below 80% of the local area median family income, adjusted for household size; and
- living in a home whose fair market value does not exceed the purchase limits for IHFA's Homeownership Lending Program.

### **How can I apply?**

Independent living centers and other entities located across the state are participating in this program. Their role includes accepting applications, providing technical assistance to applicants, and performing inspections of the work done with program dollars. Applications are processed based on funding availability.

### **What will the application require?**

Applicants must be able to document their disability needs and income eligibility. A description of the work to be completed and estimate of costs involved is also part of the application.

### **What if my landlord objects?**

Renter applicants are required to obtain written acknowledgement from their landlord indicating the landlord has been notified of the tenant's intent to make modifications to the unit. According to the Fair Housing Act, landlords may not refuse reasonable requests to make modifications to rental units. However, landlords can require the renter to deposit funds into an escrow account to be used to restore the unit to its former condition after the renter with the disability moves out. Accessibility Improvements Program funds may be used to help fund this escrow deposit.

### **How much can I apply for?**

The maximum grant is \$5,000.

### **How do I know if I am approved for a grant?**

Completed applications from qualified households will be submitted to IHFA from independent living centers. IHFA will reserve funds for qualified applicants on a first-come, first-serve basis and will notify the applicant directly when they have been approved to receive a grant.

### **When do I receive the money?**

Upon certification by the local independent living center that the work has been completed satisfactorily, IHFA will issue funds to the applicants for payment to the contractors.



## APPENDIX D

- ❖ Boise County Grievance Procedure



# BOISE COUNTY

## RESOLUTION #2013-3 A BOISE COUNTY RESOLUTION ADOPTING A BOISE COUNTY DISCRIMINATION COMPLAINT PROCEDURE POLICY

**WHEREAS**, to ensure that any discrimination occurring within the local public agency (LPA) of Boise County is properly administered, the Boise County Board of Commissioners has drafted a Discrimination Complaint Procedure Policy in accordance with Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended; and

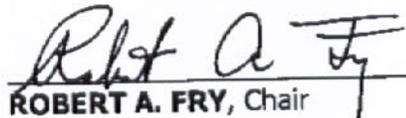
**WHEREAS**, diligent review and discussion of the policy has been held by the Boise County Board of Commissioners; and

**WHEREAS**, an agreement has been reached on the verbiage and direction contained in the new Discrimination Complaint Procedure Policy;

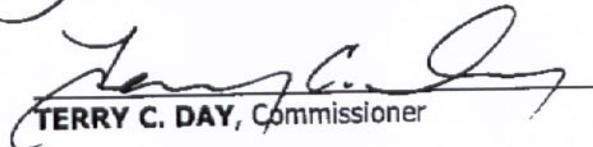
**NOW THEREFORE BE IT RESOLVED**, that the Boise County Board of Commissioners does hereby approve this policy, known as the Discrimination Complaint Procedure Policy, as described in Exhibit A and B attached.

**APPROVED and ADOPTED** this 22<sup>nd</sup> day of October, 2012 in open session of the Boise County Board of Commissioners.

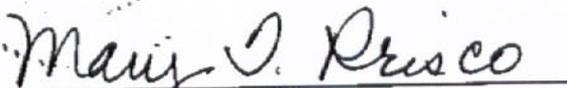
### BOISE COUNTY BOARD OF COMMISSIONERS

  
ROBERT A. FRY, Chair

  
JAMIE A. ANDERSON, Commissioner

  
TERRY C. DAY, Commissioner



  
Mary T. Prisco, Clerk to the Board

## **EXHIBIT A**

### **Discrimination Complaint Procedure Policy**

### **General Procedures**

Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with Boise County. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to Boise County's Title VI Coordinator for review and action.

In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:

- a) The date of alleged act of discrimination; or
- b) Where there has been a continuing course of conduct and the date on which that conduct was discontinued.

In either of the above cases, the elected Boise County Clerk, or their designee, may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of Boise County, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the Sponsor's investigative procedures as outlined in Exhibit B.

## **EXHIBIT B**

### **Discrimination Complaint Procedure Policy**

### **ITD Specific Procedures**

All complaints regarding accessibility for the disabled must be forwarded directly to the Idaho Transportation Department (ITD) for investigation.

Within 10 days, the Title VI Coordinator will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as to ITD and/or the US Department of Transportation (USDOT).

The elected Boise County Clerk, will advise ITD within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to ITD:

- a) Name, address and phone number of the complainant.
- b) Name(s) and address(es) of alleged discriminating official(s).
- c) Basis of complaint (i.e., race, color, national origin or sex)
- d) Date of alleged discriminatory act(s).
- e) Date of complaint received by the elected Boise County Clerk.
- f) A statement of the complaint.
- g) Other agencies (state, local or Federal) where the complaint has been filed.
- h) An explanation of the actions the elected Boise County Clerk has taken or proposed, to resolve the issue raised in the complaint.

Within 60 days, the Title VI Coordinator will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the elected Boise County Clerk. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

Within 90 days of receipt of the complaint, the elected Boise County Clerk will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with ITD or USDOT, if they are dissatisfied with the final decision rendered by the elected Boise County Clerk. The Title VI Coordinator will also provide ITD with a copy of this decision and summary of findings upon completion of the investigation.

Contacts for the different Title VI administrative jurisdictions are as follows:

**Title VI Administrator/Elected Boise County Clerk**

Mary T. Prisco  
PO Box 1300  
Idaho City, ID 83631  
208-392-4431 x125  
[mprisco@co.boise.id.us](mailto:mprisco@co.boise.id.us)

**Idaho Transportation Department  
Equal Employment Opportunity Office – External Programs**

Diane Steiger, EEO/DBE Program Manager, Title VI & ADA Coordinator  
PO Box 7149  
Boise, ID 83707-1129  
208-334-8266  
[diane.steiger@itd.idaho.gov](mailto:diane.steiger@itd.idaho.gov)

**Federal Highway Administration  
Idaho Division Office**

Peter Hartman, Division Administrator  
3050 Lakeharbor Lane, Suite 126  
Boise, ID 83703  
208-334-9180

**ACKNOWLEDGMENT: RECEIPT OF DISCRIMINATION COMPLAINT PROCEDURE  
POLICY.**

I, \_\_\_\_\_, acknowledge receipt of the Boise County  
Discrimination Complaint Procedure Policy, adopted on October 29<sup>th</sup>, 2012.

Please initial each statement below if it is true.

\_\_\_ I understand that it is my responsibility to read and understand the contents of this Policy.

\_\_\_ I understand that I am obligated to perform my duties of employment in conformance  
with the provisions of this Policy and any additional rules, regulations, policies or procedures  
imposed by the department in which I work whether or not I choose to read the Policy.

\_\_\_ I understand that this Policy may be modified without prior notice to me.

\_\_\_ I understand that should this Policy be modified, that I will be provided with a copy of the  
modification.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Employee)

I, \_\_\_\_\_, provided a copy (either electronically or by  
paper) of the Discrimination Complaint Procedure Policy, as adopted by the governing Board on  
October 29<sup>th</sup>, 2012, to \_\_\_\_\_, on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2012.

\_\_\_\_\_  
(Name - Title - Department)

## APPENDIX E

- ❖ Policy regarding non-discrimination on the basis of disability; Affidavit of publication



# BOISE COUNTY

## RESOLUTION #2013-38

### A RESOLUTION ADOPTING A BOISE COUNTY NON-DISCRIMINATION POLICY

**WHEREAS**, the Congress of the United States has passed Section 504 of the Rehabilitation Act of 1973, which requires that "no otherwise qualified individual with a disability shall, solely on the basis of his or her disability, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program, services, or activities receiving federal assistance"; and

**WHEREAS**, the failure to comply with the terms and conditions of Section 504 of the Rehabilitation Act may cause the County to lose its grant or eligibility for future grants; and

**NOW THEREFORE BE IT RESOLVED**, be it resolved by the Chair and the Commission of Boise County Idaho, the following:

Section I. It is the policy of Boise County that all programs and activities shall be accessible to, and usable by, qualified persons with disabilities, in accordance with Section 504 and the Americans with Disabilities Act (ADA).

Section II. That Boise County shall conduct a self-evaluation of its programs, policies, procedures and facilities to determine any areas where discrimination may occur.

Section III. Boise County shall, upon completion of the self-evaluation plan, make appropriate revisions, modifications or other changes so as to fully comply with the letter and intent of Section 504 and the ADA.

Section IV. Further, Boise County shall, where building modifications are required or capable of implementation, given the limitations or requirements of other applicable federal laws, develop and implement a transition plan for eliminating structural barriers in a timely manner in accordance with Section 504 and the ADA.

**APPROVED and ADOPTED** this 23rd day of April, 2013 in open session of the Boise County Board of Commissioners.

**BOISE COUNTY BOARD OF COMMISSIONERS**

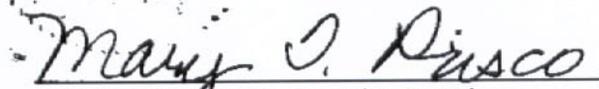
ABSENT

**BARBARA M. BALDING**, Chair

  
**JAMIE A. ANDERSON**, Commissioner

  
**VICKI L. WILKINS**, Commissioner



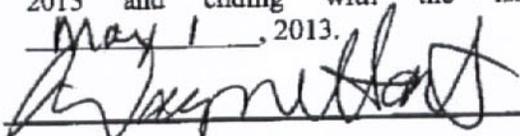
  
**Mary T. Prisco**, Clerk to the Board

# The Idaho World

P.O. Box 50248  
Boise, ID 83705  
(208) 429-1606

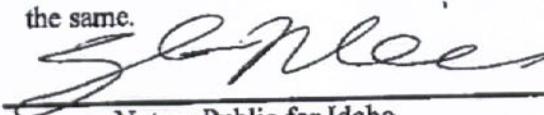
State of Idaho )  
County of Boise )

Wayne Hart, being duly sworn, deposes and says: that he is the Publisher of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for One (1) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with May 1, 2013 and ending with the issue of May 1, 2013.



State of Idaho )  
County of Ada )

On this 17 day of May in the year 2013, before me, a notary public, personally appeared Wayne Hart known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Notary Public for Idaho  
Residing at Boise, Idaho  
Commission Expires 03-06-2019

## BOISE COUNTY RESOLUTION #2013-38 A RESOLUTION ADOPTING A BOISE COUNTY NON-DISCRIMINATION POLICY

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APPROVED and ADOPTED this 23rd day of April, 2013 in open session of the Boise County Board of Commissioners. Published in the Idaho World 5/1/2013

**SHAUN MILLER  
NOTARY PUBLIC  
STATE OF IDAHO**

**2013**

# Transition Plan Update

**Boise County, Idaho**

Adopted: June 2013

Facility	Description of Structural Changes	*Estimated Cost	Completed since 2006? (Y,N)	Future Implementation Schedule					
				2013	2014	2015	2016	2017	2018
Sheriff's Office	<b>Ramps</b> Add railings to ramps that are longer than six feet.	\$120.00	Y						
	<b>Parking</b> Implement a policy to check periodically for violators to ensure handicapped accessible parking spaces are being used by those who need it.	N/A	N						
	<b>Entrances</b> Install signs before inaccessible entrances so that people do not have to retrace the approach.	\$30.00	N						
	<b>Restrooms</b> Install signs at inaccessible restrooms that give directions to accessible ones.	\$60.00	N						
Courthouse (Planning and Zoning Office)	<b>Entrances</b> Install doorbells at entrances for access to the building as an alternative to replacing standard door knobs.	\$360.00	N						
	<b>Restrooms</b> Install signs at inaccessible restrooms that give directions to accessible ones.	\$30.00	N						
Recorder's, Auditors, Treasurer's and Assessor's Office	<b>Parking</b> Add signs (placed so they are not obstructed by cars) marking the accessible parking spaces.	\$120.00	N						
	<b>Parking</b> Implement a policy to check periodically for violators to ensure handicapped accessible parking spaces are being used by those who need it.	N/A	N						
	<b>Entrances</b> Install signs before inaccessible entrances so that people do not have to retrace the approach.	\$30.00	N						
<b>Total</b>		<b>\$750.00</b>							

\*Estimated cost represents a 20% increase from the estimated costs from Boise County's Transition Plan from 2006.

This Transition Plan is approved and adopted by Resolution Number: 2013-45 On: July 2<sup>nd</sup>, 2013 by the Boise County Board of Commissioners.  
 Signature of Chair: 