

BOISE COUNTY BOARD OF COMMISSIONERS
MONDAY, MARCH 19TH, 2012
BOISE COUNTY COMMISSIONERS' ROOM
OFFICIAL MEETING MINUTES

Chairman Robert A Fry called the meeting to order at 9:00 A.M. The Pledge of Allegiance was recited.

PRESENT: Chairman Robert A Fry, Commissioners Jamie A Anderson and Terry C Day, Clerk Mary T Prisco

OTHERS PRESENT: Treasurer April Hutchings, Assessor Brent Adamson and Chief Administrator Dee Woodstrom

COMMISSIONER DISCUSSION: Commissioner Terry C Day spoke about a complaint call concerning the Road Department.

Commissioner Jamie A Anderson presented, to each Board member, an Emergency Disaster pocket guide for senior and elected officials. Commissioner Anderson spoke about the Aquifer Management Program Camp and future water rights. Commissioner Anderson stated that Garden Valley was chosen for the "Capital for the Day" event. It will be on March 28th at the Crouch Community Hall.

AMENDMENTS TO THE AGENDA: Commissioner Terry C Day made a MOTION to move the Alamar discussion to the end of the agenda. Chairman Robert A Fry SECONDED. Roll call vote: Commissioner Jamie A Anderson – Aye; Commissioner Terry C Day – Aye; Chairman Robert A Fry – Aye. Motion carried.

MINUTES: Nothing was presented.

DEPARTMENTAL ISSUES: Noxious Weeds Supervisor, Mike Bottoms, presented the CWMA documents for signature. Commissioner Jamie A Anderson made a MOTION to sign the 2012 State General Fund Cost Share with the Upper Payette CWMA at \$24,150. Chairman Robert A Fry SECONDED. All ayes; motion carried. Commissioner Jamie A Anderson made a MOTION to accept the award for the 2012 State General Fund Cost Share for the Boise Basin CWMA in the amount of \$6,825. Chairman Robert A Fry SECONDED. All ayes; motion carried. Solid Waste Supervisor, Mike Bottoms, stated he received a letter from Central District Health for permitting of the Horseshoe Bend and Lowman transfer sites.

Planning & Zoning Interim Administrator, Rora Canody, gave handouts to the Board to update them on building permits, compliance log, open land development tracking, etc.

COMMITTEE REPORTS: Commissioner Terry C Day spoke about Central District Health in general.

Commissioner Jamie A Anderson stated she attended the City of Crouch meeting.

Chairman Robert A Fry spoke about the WICAP facility in Horseshoe Bend. Chairman Fry spoke about rip/rap rock and that there is a resolution and letter ready for the Board to review.

ISSUE TRACKING: Chairman Robert A Fry stated to remove the Multi-Jurisdictional issue from the list.

The Placerville Ambulance building project update is that LCA has completed Phase One but will not complete Phase Two. Another firm will have to complete Phase Two, the sub-grant is still pending.

CONTRACTS/AGREEMENTS/GRANTS: Nothing was presented.

DEMAND WARRANTS: Commissioner Jamie A Anderson made a MOTION to approve the demand warrant to Central District Health for \$140 for a permit application fee for the modular building going in at the Gardena Road Department site. Commissioner Terry C Day SECONDED. All ayes; motion carried.

INDIGENT: Deputy Clerk Loya presented six indigent cases. Chairman Robert A Fry made a MOTION to go into executive session per I.C. 67-2345(11)(d) and (1)(f) to discuss the cases. Commissioner Terry C Day SECONDED. Roll call vote: Commissioner Jamie A Anderson – Aye; Commissioner Terry C Day – Aye; Chairman Robert A Fry – Aye. Motion carried. The Board came out of executive session.

Commissioner Terry C Day made a MOTION to sign the lien on case 12-3-C, to re-sign liens on cases 12-2-C, 12-2-D, 12-3-A and 12-3-B (due to typos). Commissioner Jamie A Anderson SECONDED. All ayes; motion carried.

Commissioner Terry C Day made a MOTION to approve case 11-12-H. Commissioner Jamie A Anderson SECONDED. Chairman Robert A Fry recused himself as he is related to the person. Motion carried.

PA ISSUES: The Board discussed, with Deputy Prosecutor Cherese McLain, if the subjects they are to discuss today should be heard in executive session or not. Deputy Prosecutor McLain stated that, for the subject matter to be discussed, the Board should go into executive session. Susan Buxton, outside legal counsel, spoke about the need for executive session for certain discussions. Chairman Robert A Fry made a MOTION to go into executive session per I.C. 67-2345(1)(f) pending litigation for the Alamar settlement and (1)(b) to discuss a criminal case with Canyon County. Commissioner Jamie A Anderson SECONDED. Roll call vote: Commissioner Jamie A Anderson – Aye; Commissioner Terry C Day – Nay; Chairman Robert A Fry – Aye. Motion carried. The Board came out of executive session. Chairman Robert A Fry, as a result of the executive session discussions, made a MOTION to adopt Resolution 2012-17 filing a lawsuit against the ID State Tax Commission pursuant to a Federal Court Order; Alamar Ranch v. County of Boise, dated November 10, 2011. Commissioner Terry C Day SECONDED. Roll call vote: Commissioner Terry C Day – Aye; Chairman Robert A Fry – Aye; Commissioner Jamie A Anderson – Nay, adding not all options had been exhausted. Motion carried.

The Alamar litigation and settlement discussion has been moved to the end of the day.

CONSTITUENT INPUT: Mitchel Tain, Idaho City, asked if the Board is planning on meeting to discuss options for the settlement. Mr. Tain spoke about the Placerville Ambulance and LCA backing out of the project.

Jayne Reed, Garden Valley, spoke about the executive session and Susan Buxton.

Anne Heltsley, Boise County resident, spoke about the Alamar settlement.

TAX EXTENSION REQUEST: Mr. Ransom was not in attendance. According to Treasurer, April Hutchings, he had previously requested a waiver for penalties for tax year 2010. Treasurer

Hutchings stated it is 2008 taxes that are in arrears and that his property will go up for tax deed in July of this year.

PUBLIC HEARING: Chairman Robert A Fry closed the regular meeting and opened the hearing for the M. Corn lot line vacation in Castle Mountain Subdivision #3.

Planning & Zoning Interim Administrator, Rora Canody, gave information to the Board from the staff report. Commissioner Terry C Day stated to add the tax information into the report for the future FCO's.

Assessor Brent A Adamson stated he had no issues with the vacation.

Chairman Robert A Fry closed the public hearing.

Commissioner Jamie A Anderson found that the staff report appears to include facts of the adjoining parcels, that they have the approval of the Castle Mountain Creeks HOA, the combination requires no outside boundary changes and there were no agency letters received in opposition to this vacation.

Commissioner Jamie A Anderson made a MOTION that the Boise County Commissioners approve the lot parcel line vacation with the following conditions; the commissioners reserve the right to deny this application unless the applicant presents all of the following to the P & Z Administrator prior to recording; 1. The record of survey mylar showing the new one lot along with two large paper copies, 2. Produce an 8 ½ x 11 paper copy of the record of survey, 3. A deed from the owner, to the owner, showing the new legal description for the one new lot, 4. Proof that all taxes have been paid and brought current and 5. Applicant pays all recording fees to the Boise County Recorder at the time of recording the mylar and the deed. Chairman Robert A Fry SECONDED. All ayes; motion carried.

ROBIE CREEK ROAD ISSUE: The Board discussed the issue. Assessor Brent Adamson spoke about abandoning the road and the need to start the process. The Board will discuss this issue with Deputy Prosecutor Chereese McLain.

MISCELLANEOUS & CORRESPONDENCE:

- Chairman Robert A Fry spoke, after the indigent session, about the City of Horseshoe Bend's request to change the address of the Horseshoe Bend Courthouse. Chairman Fry stated that it would be very costly for the county to make that change. Commissioner Jamie A Anderson spoke about safety and response of an emergency nature. Chairman Fry stated he would relay the concerns to the City of Horseshoe Bend.
- Canvass of votes – March 13th, 2012 Horseshoe Bend School levy election. Commissioner Terry C Day made a MOTION that the Board canvass this election for the Horseshoe Bend School District levy for the election held on March 13th and we are agreeing to the Clerk's tally of 252 votes against and 93 votes for, in the Horseshoe Bend precinct and Board is acting as the Board Canvassers of the election. Chairman Robert A Fry SECONDED. All ayes; motion carried.
- Ballot count for the Primary Election 2012 – Chairman Robert A Fry made a MOTION to approve the ballot printing data. Commissioner Jamie A Anderson SECONDED. All ayes, motion carried.
- Resolution 2016-16 Road Department Surplus – Commissioner Jamie A Anderson made a MOTION that we adopt Resolution 2012-16, a resolution to surplus Road & Bridge Department excess gravel and other material to be used by the City of Horseshoe Bend, provided that we receive a letter indemnifying Boise County from all liability for their intended purpose of removal of that material. Commissioner Terry C Day SECONDED. All ayes; motion carried.

Road Department letter to the City of Horseshoe Bend – cannot be signed or sent until Boise County receives an indemnification letter from the City of Horseshoe Bend.

- Commissioner Anderson made a MOTION to contact the second ranked firm that bid on the proposal for the Placerville Ambulance building project and request their interest in Phase Two of the project. Commissioner Terry C Day SECONDED. All ayes; motion carried.
- Resolution 2012-03A – Clerk Prisco stated the account number was incorrect on the original resolution and that this resolution contains the correct sub-account. Chairman Robert A Fry made a MOTION to adopt Resolution 2012-03A which is correcting Resolution 2012-03 and changes only the revenue budget account number. Commissioner Jamie A Anderson SECONDED. All ayes; motion carried.
- Resolution 2012-14 April Fair Housing – this resolution is to be done yearly as it is part of the information needed to apply for federal grants. Commissioner Jamie A Anderson made a MOTION to approve Resolution 2012-14 Boise County Resolution to declare April Fair Housing Month. Chairman Robert A Fry SECONDED. All ayes; motion carried.
- Road Department compensation time payout request (S. Huston) – Commissioner Terry C Day made a MOTION to approve the comp time payout for S. Huston. Commissioner Jamie A Anderson SECONDED. All ayes; motion carried.

FUTURE AGENDA TOPICS: Commissioner Terry C Day spoke about an ambulance bill write-off to discuss and a bill from Rimview Ranch HOA for the lot the old Mores Creek Ambulance building sat on.

Miscellaneous discussions included; personnel policy revisions, Mike Williams update and the 2010 audit. Valarie Delyea, Community Justice, spoke about the selection of the new juvenile probation officer, Jim Meliza. Ms. Delyea spoke about Mr. Meliza using a county vehicle. This discussion was tabled until Ms. Delyea comes to an agreement with Mr. Meliza concerning the vehicle.

Alamar settlement discussion/options: Chairman Robert A Fry reviewed the responses of each department for a 25% reduction.

Assessor Brent Adamson, Sheriff Ben Roeber, Treasurer April Hutching and her staff, Community Justice Valarie Delyea and Judge Roger Cockerille were all in attendance.

Commissioner Jamie A Anderson spoke about the settlement.

Commissioner Terry C Day gave scenarios concerning the settlement. The Board discussed Commissioner Day's scenarios.

Commissioner Jamie A Anderson asked Clerk Prisco about the cost of unemployment to the county to qualify her findings. Chairman Robert A Fry spoke about what the Board will be discussing in the meetings later this week.

Constituents, Mitchel Tain and Barbara Balding spoke about getting numbers to the public.

Having no further business, Chairman Fry adjourned the meeting until 9:00 AM on Monday, March 26th, 2012.

Approved this 30TH day of April, 2012.

ROBERT A. FRY, Chairman
Boise County Board of Commissioners

Attest:

MARY T. PRISCO, Clerk to the Board