

BOISE COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 14TH, 2009
BOISE COUNTY COMMISSIONER'S ROOM
OFFICIAL MEETING MINUTES

Chairperson Linda W Zimmer called the meeting to order at 9:00 A.M. The Pledge of Allegiance was recited.

PRESENT: Chairperson Linda W Zimmer, Commissioners Terry C Day and Jamie A Anderson and Clerk Constance Swearingen

OTHERS PRESENT: Assessor Brent Adamson, Treasurer Barbara Balding, Prosecutor RJ Twilegar, Deputy PA Cherese McLain and Deputy Clerk Dee Woodstrom

COMMISSIONER DISCUSSION: The Board discussed the visit from the German students and Dee Wuehler's resignation from the Planning & Zoning Commission later in the meeting.

Treasurer Barbara Balding gave the Board her resignation effective October 31, 2009.

Clerk Swearingen stated that the Sourdough Lodge liquor license needed the remainder of the Commissioners signatures and the Ada County Pathology Agreement needed to be resigned because there had been an error on the original.

Chairperson Linda W Zimmer made a MOTION to approve the Sourdough Lodge liquor license renewal. Commissioner Terry C Day SECONDED. All ayes, motion carried.

Chairperson Linda W Zimmer made a MOTION to sign the corrected Ada County Pathology Agreement. Commissioner Terry C Day SECONDED. All ayes, motion carried.

Commissioner Jamie Anderson talked about the garbage that was being dumped along the County roadways, the need to use public works contractors on County construction projects and also stated she was having a lighting assessment of the county buildings done.

Clerk Swearingen and the Board discussed the Public Defender Contract and the Request for Proposals.

AMENDMENTS TO THE AGENDA: Nothing was discussed.

MINUTES: Clerk Swearingen presented the meeting minutes for August 24, 2009. Commissioner Terry C Day made a MOTION to approve the August minutes. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

TREASURER/ASSESSOR ISSUES: Treasurer Barbara Balding gave the Board an update on the 2005 delinquent property taxes.

Assessor Brent Adamson stated that the homeowner's exemption for 2010 would be reduced to \$101,053.

COMMITTEE REPORTS: Commissioner Terry C Day stated he had attended the SAGE Board meeting where they approved next year's operating budget.

Commissioner Day stated that he had attended the Senior Task Force meeting, the open house for the Wilderness Ranch Fire Department/Mores Creek Ambulance building and the COMPASS meeting. Commissioner Day also stated he had attended the Woody Biomass meeting and reported that the crop report had been completed.

Commissioner Day further stated he had attended the EBCA Advisory Board meeting in Lowman and reported that Phyllis Giron would no longer be on the advisory board representing Placerville.

Commissioner Jamie Anderson stated that she had attended the open house for the Wilderness Ranch Fire Department/Mores Creek Ambulance building, the spring boat races in Centerville and the Crouch City Council meeting where they discussed the expanded area of impact and the land use map.

Commissioner Anderson stated she had also attended the EMS/Fire Task Force meeting and the Payette River Scenic Byway meeting.

Commissioner Anderson spoke about the public's concerns about Census workers trespassing on private property. She further stated that someone from the Census Bureau would be attending the September Board meeting to address the issue.

Chairperson Linda W Zimmer stated she had attended the WICAP Advisory Board meeting.

CONTRACTS/AGREEMENTS/GRANTS: Clerk Swearingen presented two Benchmark contracts for the continuation of the PTND and Strengthening Family programs. The Board tabled the two contracts until September for further review.

Clerk Swearingen presented a contract agreement for approval from Coroner Pam Garlock to enable her to pump gas from State yards. Commissioner Terry C Day made a MOTION to approve the agreement. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

Deputy Prosecutor Cherese McLain reviewed and drafted a contract for Gem State Roofing to repair the roof at the Public Safety building. Commissioner Terry C Day made a MOTION to approve the contract. Chairperson Linda W Zimmer SECONDED. Commissioner Jamie Anderson abstained from the vote. Motion carried.

DEMAND WARRANTS: Clerk Swearingen presented a demand warrant to pay Staples (\$357.82), Lowe's (\$693.67), Mores Creek Ambulance (\$465.59), Best Buy (\$1,099.96) and K-Mart (\$1,043.64) to refurbish the Mores Creek Ambulance/building, which were lost during the fire. Commissioner Terry C Day made a MOTION to pay the demand warrants to K-Mart, Best Buy, Staples, Lowe's and Mores Creek Ambulance. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

Clerk Swearingen presented a demand warrant to pay Brassey, Wetherall, Crawford LLP (\$18,067.50). Chairperson Linda W Zimmer made a MOTION to pay the Brassey, Wetherall, Crawford LLP demand warrant. Commissioner Terry C Day SECONDED. All ayes, motion carried.

Clerk Swearingen presented demand warrants to pay Oshkosh Capital (\$25,569.58) and Pam Garlock (\$714). Commissioner Terry C Day made a MOTION to approve Oshkosh Capital and Pam Garlock demand warrants. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

Clerk Swearingen presented a demand warrant to pay Holladay Engineering (\$1,244.34). Commissioner Jamie Anderson made a MOTION to pay the Holladay Engineering demand warrant. Chairperson Linda W Zimmer SECONDED. Commissioner Terry C Day had not vote.

INDIGENT - EXECUTIVE SESSION per I.C. 67-2345(1)(d): Chairperson Linda W Zimmer made a MOTION to go into executive session to discuss cases 09-08-A and 09-07-B. Commissioner Terry C Day SECONDED. Roll Call Vote: Chairperson Zimmer: AYE; Commissioner Terry Day: AYE; Commissioner Anderson: AYE. Motion carried. Deputy Clerk Vedros presented two cases to the Board.

Chairperson Linda W Zimmer made a MOTION to come out of executive session. Commissioner Terry C Day SECONDED. All ayes, motion carried. Chairperson Linda W Zimmer made a MOTION to deny cases 09-08-A and 09-07-B. Commissioner Terry C Day SECONDED. All ayes, motion carried.

BILLS: Clerk Swearingen presented the bills as follows:

General Fund	\$	17,687.06	EBCA	\$	3,910.74
Justice Fund	\$	22,486.57	Weeds	\$	114.92
Road & Bridge	\$	221,941.36	District Court	\$	6,461.02
Emergency 911	\$	1,546.53	Solid Waste	\$	10,507.09
Indigent	\$	502.72	Tort	\$	5,896.00
Revaluation	\$	626.39	Sheriff's Vessel	\$	3,616.47
Snowmobile IC8-A	\$	12.54	Snowmobile GV5-B	\$	8.38

Commissioner Terry C Day made a MOTION to approve the bills. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

WARM SPRINGS RIDGE SOLID WASTE BID AWARD: Clerk Swearingen presented one bid to the Board. Commissioner Jamie Anderson made a MOTION to award the bid to Rainbow Enterprises, Inc. for \$49,875. Commissioner Terry C Day SECONDED. All ayes, motion carried.

Solid Waste Supervisor Mike Bottoms requested that the stimulus money application be added to a future agenda for approval. The Board stated that they would add it to their September agenda.

2009 BUDGET LEVY APPROVAL: Clerk Swearingen gave the Board the updated budget pages. Clerk Swearingen stated that the levies for Boise County and EBCA and the budget page for the Prosecutor's office still needed to be signed. The Board discussed the new information and Commissioner Terry C Day made a MOTION to approve the Certification of L-2 for tax year 2009/budget year 2010. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

ANDERSON CREEK RIGHT-OF-WAY EASEMENT: Deputy Prosecutor Cherese McLain spoke about the easement and stated that it was taking longer than expected. Deputy Prosecutor McLain stated that there might be a possible land swap.

MISC. & CORRESPONDENCE:

- o Resolution 2009-22 EBCA Mores Creek Ambulance Surplus – The Board reviewed the document and Commissioner Jamie Anderson stated that verbiage needed to be added to restrict the usage of the vehicle to rescue activities only, not patient transport.
- o Garden Valley Recreation District and Pursley lot line vacation FCOs – Commissioner Jamie Anderson made a MOTION to approve the Findings of Fact, Conclusions and Order for Garden Valley Recreation District and the Pursley lot line vacation. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

- Road Department compensation payout request – Commissioner Terry C Day made a MOTION to approve the payout request. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.
- Prosecutor office payroll change request – the payroll change form reflected the increased hours for Fleta Wright. The Board tabled this until September .
- Payroll change requests for Lt. Archer and Deputy Clerk Armfield. Commissioner Terry C Day made a MOTION to accept the payroll changes. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

PA ISSUES: The FCOs for Elk Run Subdivision had not previously been signed by the Board. This issue was tabled until September .

Prosecutor RJ Twilegar stated that he wanted an executive session for possible litigation and appointment of a special prosecutor. Commissioner Jamie Anderson made a MOTION to go into executive session per I.C. 67-2345(1)(f), pending litigation and appointment of a special prosecutor. Commissioner Terry C Day SECONDED. Roll Call Vote: Commissioner Anderson: AYE; Commissioner Day: AYE; Chairperson Zimmer: AYE. Motion carried. The Board returned from Executive Session and the regular Board meeting resumed.

Deputy Prosecutor Cheresse McLain spoke about the Old Crouch Road right-of-way, the RS2477 assertion and the tax deeded property on Montgomery Street.

CONSTITUENT INPUT: None.

RIGHT-OF-WAY REQUEST: Larry Leisure from Village Associates and Joe Sanford asked for a right-of-way easement on South Middle Fork Road where they stated they would be constructing a supermarket/drugstore in Crouch. Road Supervisor Bill Jones stated that he did not have any issues with granting them the easement. Deputy Prosecutor McLain stated that she would review the information and work up a land use contract.

RS2477 ASSERTION: Bob Obermeyer requested an assertion for a small portion of a road. Jim Lyons, a semi-retired attorney who appeared on Mr. Obermeyer's behalf, provided an overview of the RS2477 assertion process. Mr. Obermeyer stated that he had spoken with Forest Service personnel but had not been able to move forward with them. Mr. Obermeyer stated that 2/10 of a mile needed to be repaired on the subject section of road and that he had the equipment and supplies to rebuild the road. Deputy Prosecutor McLain stated that she would work with Mr. Obermeyer to move forward on his request.

UNIVERSITY OF GERMANY VISITATION: A student delegation from Germany was in attendance to ask questions about our local government, with special interest on rural development and strategies. They also shared information about their government and culture.

PLACERVILLE AMBULANCE BUILDING ADMINISTRATION COSTS: Lisa Bachman from J-U-B Engineering presented a draft contract between the County and JUB for grant writing and administrative services. The Board stated that Commissioner Jamie Anderson and Ray Johnston from Placerville Ambulance would be available to J-U-B Engineering for consulting. The Board stated that Deputy Prosecutor McLain needed to review the draft contract. Ms. Bachman stated that the total administrative fee would be \$3,500 but all other costs would be covered by the grant. Commissioner Jamie Anderson made a MOTION to sign the contract with J-U-B Engineering upon presentation of a final copy and after review by Deputy Prosecutor McLain. Commissioner Terry C Day SECONDED. All ayes, motion carried.

SHERIFF'S DEPT: Sheriff Ben Roeber spoke about the payout for John Archer. Clerk Swearingen presented information for review on the payout. Commissioner Terry C Day made a MOTION to follow Sheriff Roeber's recommendation. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

FUTURE AGENDA TOPICS REVIEW: The Board requested that the letter from Ms. O'Laughlin concerning a building permit be placed on the next agenda for discussion.

Chairperson Linda W Zimmer made a MOTION to go into executive session per I.C. 67-2345(1)(f), pending litigation and I.C. 67-2345(1)(b), personnel. Commissioner Terry C Day SECONDED. Roll Call Vote: Chairperson Zimmer: AYE; Commissioner Day: AYE; Commissioner Anderson: AYE. Motion carried.

Chairperson Linda W Zimmer made a MOTION to come out of executive session. All ayes; MOTION passed.

Having no further business, Chairperson Linda Zimmer adjourned the meeting until 9:00 AM, September , 2009.

Approved this day of October, 2009.

LINDA W ZIMMER, Chairperson
Boise County Board of Commissioners

Attest:

Constance Swearingen, Clerk to the Board