

BOISE COUNTY BOARD OF COMMISSIONERS
MONDAY, SEPTEMBER 10th, 2012
BOISE COUNTY COMMISSIONER'S ROOM
OFFICIAL MEETING MINUTES

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

PRESENT: Chairman Fry, Commissioners Day and Anderson, Clerk Prisco and Assessor Adamson.

COMMISSIONER DISCUSSION: Commissioner Anderson introduced representatives of LHTAC, Jeff Miles and Dan Kuntz, who were present to discuss the South Fork Payette Bridge construction bid. Mr. Miles, LHTAC, discussed reasons as to why the construction bids received would be rejected, including the cost of steel (steel plate girders, which are rare in Idaho) included in the bids and the impact of the federal government's fiscal year end. Bids were approximately \$478,000 over the original budget for the construction piece. Chairman Fry made a MOTION to reject all bids on the construction of the South Fork Payette Bridge project and rebid in the next fiscal year. Commissioner Day SECONDED. Discussion ensued on several points. All ayes; motion passed.

Commissioner Anderson asked that Noel, representative from Cumo Mining, be scheduled for an upcoming agenda so that she can provide an update to the Commission on the mining operations.

AMENDMENTS TO THE AGENDA: Clerk Prisco clarified that the "Levies Discussion" would need to be moved to the September 24th, 2012 meeting due to an L-2 Form extension granted to a taxing district.

MINUTES: Chairman Fry made a MOTION to approve the minutes from the September 4th, 2012 meeting. Commissioner Day SECONDED. All ayes; motion passed.

DEPARTMENTAL ISSUES: Assessor Adamson provided a copy of an article on civility which had been provided by Dan Chadwick, Executive Director of IAC, at an IAC conference.

Chief Deputy Sheriff, Dale Rogers, presented a contract amendment for the Boise National Forest Agreement, No. 12-LE-11040205-073, known as the SISK agreement. Commissioner Anderson made a MOTION to approve the BNF contract amendment (for the Trinity Ridge wildland fire). Commissioner Day SECONDED. All ayes; motion passed.

Commissioner Anderson made a MOTION to approve a payroll addition for Bob Peck, Bailiff. Chairman Fry SECONDED. All ayes; motion passed.

Mike Bottoms, Solid Waste/Noxious Weeds Department Head, inquired about the effective date of the Idaho Power Cloud Seeding Lease Agreement. The effective date is September 4th, 2012.

Mr. Bottoms presented a payroll addition for Colter Lowe to perform ARRA work and fill in for the Solid Waste Department. Chairman Fry made a MOTION to approve the payroll addition for SW/NW department. Commissioner Day SECONDED. All ayes; motion passed.

Mr. Bottoms discussed a capital improvement to the loading ramp at the Solid Waste Transfer Station site and presented a low bid of \$1,383.52 from Rocky Mountain Steel, for the materials needed to make the improvement. Commissioner Day made a MOTION to approve the expenditure for the improvement. Chairman Fry SECONDED. All ayes; motion passed.

Rora Canody, Interim P&Z Administrator, discussed the contents of a letter from Lonnie Bramon of XRoads Development Inc. dated September 5th, 2012, requesting a one year extension for the Northridge Subdivision of Terrace Lakes on final plat approval. The Commission discussed the benefits/detriments of executing an extension and what length of time would be appropriate.

Chairman Fry made a MOTION to table the matter until the September 24th, 2012 meeting. Commissioner Day SECONDED. All ayes; motion passed.

John Roberts, Emergency Management Services Coordinator, discussed the resolution that was executed for the Springs Fire. Mr. Roberts, after investigating the topic, recommended that the Commission rescind Resolution 2012-30, declaring a state of emergency for the Springs Fire. Commissioner Anderson made a MOTION to rescind all Boise County resolutions declaring emergency status. Chairman Fry SECONDED. All ayes; motion passed.

Mr. Roberts discussed a work scope change on the EMP 2011 Grant through BHS and will move forward with submitting the information to Bureau of Homeland Security. Mr. Roberts discussed a grant application, totaling \$48,500, for the purchase of communication equipment for EBCAD. Commissioner Anderson requested that legal counsel review the grant prior to the Commission signing the grant application. Chairman Fry made a MOTION to authorize Commissioner Anderson to sign the grant application, subsequent to a review by Prosecutor Gee and review by the EBCAD Board, all prior to Friday, September 14th, 2012.

COMMITTEE REPORTS: Commissioner Anderson stated that Alta Construction would be submitting paperwork today for the Commission to review and sign.

Commissioner Anderson stated that she will draft a letter to Eddy Goldsmith thanking him for his assistance during the time that we did not have an Emergency Management Services Coordinator in Boise County for part of calendar year 2011.

CONTRACTS/AGREEMENTS/GRANTS: There were no items presented.

DEMAND WARRANTS: Chairman Fry made a MOTION to approve an ARRA demand warrant to Kari Allred, \$1,135.00. Commissioner Day SECONDED. All ayes; motion passed. Chairman Fry made a MOTION to approve an ARRA demand warrant to D&B Supply, \$619.99. Commissioner Day SECONDED. All ayes; motion passed. Chairman Fry made a MOTION to approve a demand warrant to the Horseshoe Bend Fire Protection District, \$4,316. Commissioner Anderson SECONDED. All ayes; motion passed. Chairman Fry made a MOTION to approve a demand warrant to Sandi Seibel, \$425, for postage. Commissioner Anderson SECONDED. All ayes; motion passed. Chairman Fry made a MOTION to approve a demand warrant to IAC for Commissioner Anderson's conference registration. Commissioner Day SECONDED. All ayes; motion passed.

INDIGENT: There were no indigent items.

BILLS: Commissioner Day made a MOTION to pay all claims subject to the investigation of three items: Sheriff's Department claim for fuel charges with Chevron/Texaco and P&Z claim for Weiland Resources, both of which need to be reviewed to ensure they are not a duplicate payments; three claims to Century Link, within the E911 fund, which appear to be capital expenditure items coded to operating expense accounts. Chairman Fry SECONDED. All ayes; motion passed.

PROSECUTING ATTORNEY ISSUES: Interim Prosecutor Gee discussed the South Fork Payette Bridge match and a meeting that he had with the SouthFork Landing legal counsel last week. The opposing legal counsel stated, in that meeting, that they have every intention of paying what is due on the bridge match.

Mr. Gee then discussed the Riverfront Estates FCO's and the subject of easements; specifically with regards to the Fish & Game easement and public use. Mr. Gee stated that he did inquire of opposing legal counsel what their client's intention was regarding the tax redemption for certain SouthFork Landing properties.

Interim Prosecutor Gee then discussed the Pines Subdivision road abandonment FCO's. Mr. Gee recommended that the Commission cite Title 50 and Title 40 within the "Conclusions of Law" section of the FCO's. Chairman Fry made a MOTION to rescind the motion made on June 25th, 2012, regarding the Pines Subdivision road abandonment. Commissioner Day SECONDED. All

ayes; motion passed. Chairman Fry made a MOTION that it is in the public interest of Boise County and its residents to abandon and vacate the Pines Subdivision #1 road system and to reclassify it as a public right-of-way pursuant to I. C. Title 40, Chapter 2 or under I. C. Title 50, Chapter 13 and instruct the county attorney to draft findings of fact and conclusions of law reflecting such. Commissioner Anderson SECONDED. All ayes; motion passed. Interim Prosecutor Gee discussed a meeting, to be held later this week in Lowman, regarding the EBCAD Lowman unit and use of assets. Mr. Gee inquired if the subject of by-laws might be investigated at the IAC conference of September 17th. Interim Prosecutor Gee stated that he had contacted Mike Williams regarding the P&Z land use ordinance. The plan is for the draft document to be completed and to the Board of County Commissioners by September 30th, 2012. Interim Prosecutor Gee reported that he met with Greg Bower, Prosecuting Attorney for Ada County, and they have graciously and generously offered to assist Boise County in any matters that we may need assistance with. Interim Prosecutor Gee reported that his Chief Deputy, Jay Rosenthal, will be acting as Special Prosecuting Attorney for a Bonneville County matter.

Chairman Fry made a MOTION to go into executive session under I.C. 67-2345(1)(d) to discuss a personnel matter that is exempt from public record. Commissioner Anderson SECONDED the motion. Roll call vote: Commissioner Day-Aye; Chairman Fry-Aye; Commissioner Anderson-Aye. Motion passed. Chairman Fry stated that, coming out of executive session, a personnel issue was discussed and the Commission has instructed the Prosecutor to draft a document for settlement purposes.

CONSTITUENT INPUT: There was no constituent input.

FINANCIAL POLICY DISCUSSION: Clerk Prisco presented a draft resolution for a financial policy, which included Exhibits A, B, C, D and E, for the Board's review.

TAX DEEDS PRESENTATION: Chairman Fry read through the FCO's of the current tax deed process. Chairman Fry made a MOTION to accept the FCO's as written and read into the record the following parcel numbers: RP001030020050, RP001520020070, RP002040030070, RP015060000270, RP015100010040, RP015100010050, RP015120010020, RP062010020230, RP06N02E038450, RP075010000120, RP07N02E287800, RP07N02E333050, RP07N02E341254, RP07N02E348780 and RP083050000680. Commissioner Anderson SECONDED. Roll call vote: Commissioner Day-aye; Chairman Fry-aye; Commissioner Anderson-aye. Motion passed.

LEVIES DISCUSSION: The agenda item was moved to the Sept. 24th meeting.

MISCELLANEOUS & CORRESPONDENCE:

- Chairman Fry stated that he had two possible candidates for the Commission – Jim Kerbin and Don Brown. Both candidates have been long-term residents of Boise County in the Horseshoe Bend area. Orientation will take place on Wednesday, September 12th, 2012, 10:00 a.m. at the Garden Valley Fire Protection District station.
- Chairman Fry made a MOTION to approve liquor licenses #32 and #31. Commissioner Day SECONDED. All ayes; motion passed.
- Interim Prosecutor Gee discussed the equipment lease between EBCAD and the Lowman nonprofit ambulance unit and an indemnification clause within the document.
- Chairman Fry made a MOTION to reconsider the motion made earlier in the day regarding the Pines Subdivision No. 1 Road Abandonment issue. Commissioner Anderson SECONDED. All ayes; motion passed. Chairman Fry made a MOTION that it is in the public interest of Boise County and its residents to abandon and

vacate the Pines Subdivision #1 road system and to reclassify it as a public right of way pursuant to I. C. Title 40, Chapter 2, or alternatively under I. C. Title 50, Chapter 13, and approve the findings of fact and conclusions of law prepared by reflecting such. Commissioner Anderson SECONDED. All ayes; motion passed.

- Clerk Prisco presented information, for the Boards' review and discussion, on Resolution 2012-34, which authorizes and provides for issuance of bonds in agreement with the Idaho Bond Bank. A phone conference was held with Stephanie Bonney of Moore, Smith, Buxton & Turcke and questions of the Board were answered. Chairman Fry made a MOTION to adopt Resolution 2012-34, a resolution of the Board of Commissioners of Boise County, Idaho, authorizing and providing for the issuance of a refunding bond, Series 2012, in a principal amount not to exceed \$2,744,500, for the purpose of refunding the county's outstanding registered warrants, Series 2012, issued for the purpose of satisfying an order and judgment against the county; describing the bond; establishing funds and accounts; providing for the collection of taxes and the application of revenues to payment of the principal of and interest on the bond; providing for the form, execution, registration, maturity and payment of the bond; providing covenants relating to the bond and the tax-exempt status of the interest on the bond; approving a form of loan agreement between Boise County and the Idaho Bond Bank Authority; providing for related matters; and providing an effective date. Commissioner Anderson SECONDED. Roll call vote: Commissioner Day-aye; Chairman Fry-aye; Commissioner Anderson-aye. Motion passed.
- Commissioner Anderson described the status regarding the Notice to Proceed on the construction of the EBCAD Placerville Ambulance building and direction received by Interim Prosecutor Gee. Commissioner Anderson made a MOTION that the Board approve the contract between Alta Construction and Boise County, for the construction of the Placerville ambulance facility (EBCAD), upon receipt of a completed package; including: signatures on Section 3, the contractor certificate, subcontractors certificates and an attest signature on the Payment Bond. Additionally, the Notice to Proceed will be signed and submitted, subject to those same items. Chairman Fry SECONDED. All ayes; motion carried.

FUTURE AGENDA TOPICS REVIEW: September 24th, 2012 agenda: GIS project update and approval for legal notice, certification of levies, one additional tax deed, update on the Cumo Mine operations, extension for Northridge Subdivision at Terrace Lakes (P&Z) and revisit draft financial policy.

Having no further business, Chairman Fry adjourned the meeting until 9:00 a.m. on Monday, September 24th, 2012.

Approved this 24th day of September, 2012.

ROBERT A. FRY, Chairman
Boise County Board of Commissioners

Attest:

MARY T. PRISCO, Clerk to the Board