

BOISE COUNTY BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 30TH, 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 and Chief Deputy Clerk Dee Woodstrom

COMMISSIONER DISCUSSION: Commissioner Jamie Anderson spoke about the Southfork Landing PUD breaking up and questioned the legality of doing so. Commissioner Anderson stated that there have been seven pieces of property, outside of Phase One, that have been sold off. She also questioned whether Southfork Landing was doing a split from the phase.

Chairperson Linda W Zimmer stated that there would be an evening meeting on December 14th in Horseshoe Bend and that the regular business meeting would begin at 12:00 noon in Idaho City.

AMENDMENTS TO THE AGENDA: Chairperson Linda W Zimmer stated that the Oaas Laney letters needed to be discussed and that outside counsel, Andy Brassey, needed to be notified.

MINUTES: Nothing was presented.

TREASURER/ASSESSOR ISSUES: Assessor Brent Adamson spoke about the letter from the Idaho City Historical Foundation requesting exemption from solid waste fees. Mr. Adamson presented a letter approving their exemption and the Board signed it.

Assessor Adamson also presented a request for tax cancellation because of an error in the square footage of a property owner's residence. Chairperson Linda W Zimmer made a MOTION to approve the request for tax cancellation. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

COMMITTEE REPORTS: Commissioner Jamie Anderson gave an update on the Energy Efficiency Block Grant.

Chairperson Linda W Zimmer stated she had met with Morris Huffman about the Woody Biomass Partnership.

PUBLIC HEARING – SIGN ORDINANCE: Chairperson Linda W Zimmer made a MOTION to go into the public hearing to consider amending Boise County Ordinance 2001-07, Zoning and Development. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

Chairperson Linda Zimmer stated that the proposed change to Ordinance 2001-07, Zoning & Development, was to amend that portion of the ordinance which addresses sign standards. Specifically, she stated that the Board was proposing to remove Section 9-3E of the sign standards which reads as follows: "The Commission has the authority to waive the standards set forth herein under unusual circumstances where a sign not meeting said standards fulfills the intent of

the Ordinance better than one that meets the standards, upon a clear showing by the applicant that the proposed sign meets the intent of the Ordinance.”

Garden Valley resident, Jayne Reed, stated that she supported the change in the ordinance. Chairperson Linda Zimmer read an email from Jon Cottingham into the record opposing the amendment.

Commissioner Jamie Anderson made a MOTION to come out of the public hearing. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

Chairperson Linda W Zimmer made a MOTION to approve the amendment to Ordinance 2001-07, Zoning and Development, removing Section 9-3E of the sign standards. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.

PA ISSUES: Clerk Swearingen spoke about a request from Ada County to pay for the administrative services Ada County court clerks provide to the various judges who sit on Boise County cases. Ms. Swearingen stated that this was in addition to the amount Boise County pays for the District Court law clerk’s salary. She further stated that to remain in Boise and hear cases telephonically was at each individual judge’s discretion and that Boise County should not be required to pay additional fees because of it. Ms. Swearingen stated that she would hold off processing payment until more explanation had been provided.

Commissioner Terry C Day made a MOTION to go into executive session per I.C. 67-2345(1)(f), pending litigation, to discuss the ongoing pending litigation with Southfork Landing and transferring of lands. Chairperson Linda W Zimmer SECONDED. Roll Call Vote: Commissioner Jamie Anderson - Aye; Commissioner Terry C Day – Aye; Chairperson Linda W Zimmer – Aye. All ayes; motion carried.

Commissioner Jamie Anderson made a MOTION to come out of executive session. Chairperson Linda W Zimmer SECONDED. All ayes, motion carried.

CONSTITUENT INPUT: Nothing was discussed.

ISSUE TRACKING: Commissioner Terry C Day asked for an update on the Harris Creek Road, Harris Creek Bridge and Multi-Jurisdictional Meetings for LHTAC Transportation Grant issues from Road Department Supervisor Bill Jones.

Commissioner Day stated that the Placerville Ambulance building issue needed to be updated.

The Board requested removal of the Tri County – Avimor item from the Issue Tracking report since no action had been taken in a year.

The Board discussed the Interest on Investments policy and stated that the County investment philosophy and policy needed to be reviewed. Commissioner Terry C Day stated that Treasurer April Hutchings was researching the issue and would report to the Board at a later date. Clerk Swearingen stated that the current Interest on Investment issue should be removed since it had originally been placed on the Issue Tracking report to formulate a new resolution addressing excess interest. She further stated that the resolution had been completed and signed and that any excess interest the County received would not be used in the budgeting process. She further stated that the County had not been receiving any significant excess interest in approximately a year. She requested that a new listing be added to the Issue Tracing report to review the Boise County investment philosophy and policy.

The Board requested that the community building issue in Garden Valley be renamed to Economic Development.

The Board requested that the Zoning & Development/Subdivision Ordinances be tracked as two separate items.

Clerk Swearingen stated that she had received conflicting information from the State Tax Commission about whether or not EBCA could file for a tax refund on their fuel. Commissioner Terry Day stated that EBCA might be able to secure better, more clear information.

The Board requested that the Placerville Mediation issue be removed.

CONTRACTS/AGREEMENTS/GRANTS: The LHTAC LRHIP Application was presented. The Board spoke to preparer, Trevor Howard, via telephone. The Commissioners found a mathematical error in the application and requested that Mr. Howard revise the figures and add a justification. Chairperson Linda W Zimmer made a MOTION to sign the LHTAC application for 2010 with the changes noted. Commissioner Terry C Day SECONDED. All ayes, motion carried.

DEMAND WARRANTS: Clerk Swearingen presented a demand warrant to pay Holladay Engineering (\$1,670.97). Commissioner Jamie Anderson made a MOTION to approve the demand warrant. Commissioner Terry C Day SECONDED. All ayes, motion carried.

INDIGENT - EXECUTIVE SESSION per I.C. 67-2345(1) (d): Deputy Clerk Vedros presented case information to the Board. Chairperson Linda W Zimmer made a MOTION to go into executive session to discuss signing a lien for case 09-11-B. Commissioner Terry C Day SECONDED. Roll Call Vote: Commissioner Terry C Day – Aye; Chairperson Linda W Zimmer – Aye; Commissioner Jamie Anderson absent. Motion carried.

Chairperson Linda W Zimmer made a MOTION to sign the lien for case 09-11-B. Commissioner Terry C Day SECONDED. All ayes, motion carried.

MISC. & CORRESPONDENCE:

- Chief Deputy Wendy Lee presented the Year-end Juvenile Corrections Report. She stated that Judge Cockerille had already signed the report. Ms. Lee stated that the carryover money would be used to purchase a breathalyzer. Commissioner Terry C Day made a MOTION to sign the report. Commissioner Jamie Anderson SECONDED. All ayes, motion carried.
- EBCA Monthly Statistics for August and September 2009 were reviewed.
- Resolution for Prosecutor Budget – rescheduled for the December 7th meeting.
- Old library remodel – Planning & Zoning Administrator Patti Burke presented information. Chairperson Linda W Zimmer stated that Ms. Burke should have an architect look at the information and the building.
- Emmett Ranger District letter
- Nature's View Estates Extension Request - Planning & Zoning Administrator Patti Burke stated that Mike Stipa had had two, six-month extensions already and was requesting another. Ms. Burke suggested that a resolution be drafted granting an automatic, one-year extension from the date the final plat is due. The Board tabled this until next week.

ATLANTA GOLD MINE: Ernie Simmons, Chief Operating Officer, Atlanta Gold Inc., spoke to the Board about the gold mine operation, obstacles from the Forest Service and informed the Board that the State of Idaho had taken their water rights so they were now looking for private water.

FUTURE AGENDA TOPICS REVIEW: The Board confirmed the times and places (Idaho City and Horseshoe Bend) for the December 14th meeting.

Having no further business, Chairperson Linda W Zimmer adjourned the meeting until 8:00 AM, December 7th, 2009.

Approved this 11th day of January, 2010.

TERRY C. DAY, Chairman
Boise County Board of Commissioners

Attest:

Constance Swearingen, Clerk to the Board