

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE OPEN BUSINESS MEETING
TUESDAY, DECEMBER 13, 2011
9:00 A.M.**

The Board of Ada County Commissioners (Board) met this date in an Open Meeting in the Commissioners' Conference Room of the Ada County Courthouse Complex to act on the following items. Staff members present: Chris Rich, Clerk's Office; Vicky McIntyre, Treasurer's Office; Bob Perkins and Melissa Shillington, Purchasing; Dave Logan, Operations; Roxanna Dempsay, Indigent Services; Claire Tardiff, Prosecuting Attorney's Office; and Tim Tallman and Erica Thompson, Assessor's Office. Minutes Recorder: Judy Morris.

I. IN THE MATTER OF CALL TO ORDER:

Commissioner Rick Yzaguirre called the meeting of the Ada County Commissioners to order at 9:00 a.m.

II. IN THE MATTER OF ROLL CALL:

Commissioners Rick Yzaguirre, Sharon M. Ullman and Vernon L. Bisterfeldt were present.

III. CHANGES TO THE AGENDA:

- Added Idaho Power Indemnification and Limitation of Liability to Item V(12) as indicated below

ACTION: S. ULLMAN MOVED TO AMEND THE AGENDA TO ADD AN IDAHO POWER INDEMNIFICATION AND LIMITATION OF LIABILITY AGREEMENT AS ITEM V(12).

DISCUSSION: S. ULLMAN EXPLAINED WHY THIS ITEM WAS BEING ADDED TO THE AGENDA.

ACTION: V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

IV. UNFINISHED BUSINESS:

1. Purchasing

- Award of RFQ 11020 Local Improvement District 1101 Sage Acres Water Improvement Project (*Tabled from 11/30/11*)

ACTION: S. ULLMAN MOVED TO REMOVE THE AWARD OF RFQ 11020 FROM THE TABLE FOR CONSIDERATION. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

B. Perkins stated that the Evaluation Committee reviewed the cost options for RFQ 11020 and were recommending that all proposals for this request for qualification be rejected.

ACTION: S. ULLMAN MOVED TO REJECT ALL QUALIFICATION STATEMENTS REGARDING RFQ 11020 AS LISTED ON THE AGENDA. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

2. Approval of Minutes (*Authorize the Chairman to Sign*)

- Board of Equalization, November 28, 2011 (*Tabled from 12/6/11*)

ACTION: S. ULLMAN MOVED TO REMOVE THE ONE SET OF MINUTES AS LISTED ON THE AGENDA FROM THE TABLE FOR CONSIDERATION. V. BISTERFELDT

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SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

S. Ullman explained why the minutes were tabled from the December 6, 2011, Open Business Meeting.

ACTION: S. ULLMAN MOVED TO APPROVE THE ONE SET OF MINUTES AS LISTED ON THE AGENDA; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENT ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. S. ULLMAN, AYE, AND R. YZAGUIRRE AYE. V. BISTERFELDT ABSTAINED. THE MOTION CARRIED.

V. NEW BUSINESS:

1. Purchasing

- Opening of RFP 12001 Ada County Banking Services

B. Perkins provided the Board eight responses to RFP 12001 Ada County Banking Services. He requested the name of each bidder be read into the record.

R. Yzaguirre read the requested information into the record.

B. Perkins requested the award of the RFP 12001 be tabled to January 24, 2012, to allow the Evaluation Committee time to assess the proposals.

ACTION: S. ULLMAN MOVED TO TABLE THE AWARD OF RFP 12001 ADA COUNTY BANKING SERVICES, TO JANUARY 24, 2012. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

2. Auditor's Office

C. Rich provided the Board an update regarding the outside auditor. He stated his office would be having an open house on Thursday to discuss the changing of precincts in Ada County. He provided the Board a map showing the current plan for legislative districts.

3. Claims Journal

- December 8, 2011

ACTION: S. ULLMAN MOVED TO AUTHORIZE PAYMENT OF CLAIMS ON THE CLAIMS JOURNAL DATED DECEMBER 8, 2011. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

4. Personnel Action Forms (3 Introductory Period Completion Pay Increases; 9 Leaves with Pay; 2 Miscellaneous; and 2 Salary Increases)

ACTION: S. ULLMAN MOVED TO APPROVE THE PERSONNEL ACTION FORMS AS LISTED ON THE AGENDA INCLUDING 3 INTRODUCTORY PERIOD COMPLETION PAY INCREASES; 9 LEAVES WITH PAY; 2 MISCELLANEOUS; AND 2 SALARY INCREASES; AND THAT THE SUMMARY SHEET REMAIN ON FILE IN THE COMMISSIONERS' OFFICE. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

5. Assessor's Office - No Report

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6. Treasurer's Office

- Waiver of Late Fees, Interest and Penalties
- R8223040130 WELDON GERTRUDE 2010

S. Ullman discussed the Waiver.

ACTION: S. ULLMAN MOVED TO APPROVE THE WAIVER OF LATE FEES, INTEREST AND PENALTIES FOR PARCEL NO. R8223040130 AS LISTED ON THE AGENDA. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

7. Tax Cancellations (60) (57-2011; 2-2010; 1-2009) (*Authorize the Chairman to Sign*)

a. 2011 PROPERTY ROLL (57)

1. R3616310040 MINCH ROBERT P
2. R1022770040 JACOBSON BLAINE
3. R8511281050 COPPLE TERRY C & SUSAN MARY LI
4. R9374000087 KEENEY DOLAN
5. R2322630040 JAYO DOUGLAS
6. R1013005722 FIRST CHURCH OF CHRIST SCIENTI
7. R1013740210 SAINT ALPHONSUS DIVERSIFIED CA
8. R1013740230 SAINT ALPHONSUS DIVERSIFIED CA
9. R1088000065 CHURCH OF JESUS CHRIST OF LATT
10. R1431000245 INTERFAITH SANCTUARY HOUSING S
11. R1516250010 CHURCH OF JESUS CHRIST OF LATT
12. R1516250023 CHURCH IN BOISE INC
13. R1516250062 CHURCH OF JESUS CHRIST OF LATT
14. R1842701176 CHURCH OF JESUS CHRIST OF LATT
15. R1842701179 CHURCH OF JESUS CHRIST OF LATT
16. R1955021142 CHURCH OF JESUS CHRIST OF LATT
17. R1955021182 CHURCH OF JESUS CHRIST OF LATT
18. R1013005667 FIRST PRESBYTERIAN CHURCH
19. R5152000252 IDAHO CONFERENCE OF SEVENTH-DA
20. R5577760509 BOISE STATE UNIVERSITY FOUNDAT
21. R5577760513 BOISE STATE UNIVERSITY FOUNDAT
22. R5577760515 BOISE STATE UNIVERSITY FOUNDAT
23. S0627438540 CHURCH OF JESUS CHRIST OF LATT
24. S0628433656 CHURCH OF JESUS CHRIST OF LATT
25. R5855121430 CLOUD BERRY LLC
26. S0522438921 ADA COUNTY HIGHWAY DISTRICT
27. S1104212410 ADA COUNTY HIGHWAY DISTRICT
28. R1580261261 ADA COUNTY HIGHWAY DISTRICT
29. R1039000271 ADA COUNTY HIGHWAY DISTRICT
30. R1039000275 ADA COUNTY HIGHWAY DISTRICT
31. R1890000070 ADA COUNTY HIGHWAY DISTRICT
32. R1890000080 ADA COUNTY HIGHWAY DISTRICT
33. R3205720290 IDAHO HOUSING & FINANCE ASSOC
34. R0539170200 IDAHO HOUSING & FINANCE ASSOC
35. R2024301260 IDAHO HOUSING & FINANCE ASSOC
36. R2745790160 IDAHO HOUSING & FINANCE ASSOC
37. R4927090050 IDAHO HOUSING & FINANCE ASSOC
38. R5261200100 IDAHO HOUSING & FINANCE ASSOC
39. R7199640110 IDAHO HOUSING & FINANCE ASSOC
40. R7655540640 IDAHO HOUSING & FINANCE ASSOC
41. R1814020510 IDAHO HOUSING & FINANCE ASSOC
42. R5753510260 IDAHO HOUSING & FINANCE ASSOC
43. P1INVEWES01 REVERSE MORTGAGES OF IDAHO
44. P1IRMICON01 IRMINGER CONSTRUCTION INC
45. MSUNV761250 PETTIGREW NORVAL
46. R3650760390 CABRINI ALDO
47. R9206000207 BROWN RONALD W & PATRICIA A TR
48. R6890050007 PHILPOTT PROPERTIES LLC
49. P1APPLCHA01 APPLE CHARM
50. P1JEFVIA01 ACCESS AIR

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- 51. R3719181741 LUDAN PETER
- 52. R4951000360 KILBORN SHARMAN T
- 53. R0843370060 BRIGGS SHIRLEY C
- 54. R1245310070 ALLEN MICHAEL
- 55. R8570130170 CHU KIN MING
- 56. R1042000165 SOBERS JODY LYNN
- 57. R0615251436 KIRKHAM KIM MORGAN

b. 2010 PROPERTY ROLL (2)

- 1. R1245310070 ALLEN MICHAEL
- 2. R0843370060 BRIGGS SHIRLEY C

c. 2009 PROPERTY ROLL (1)

- 1. R1245310070 ALLEN MICHAEL

ACTION: S. ULLMAN MOVED TO APPROVE THE TAX CANCELLATIONS AS LISTED ON THE AGENDA WHICH INCLUDE 57 TAX CANCELLATION FOR 2011, 2 TAX CANCELLATIONS FOR 2010, AND 1 TAX CANCELLATION FOR 2009; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

8. Approval of Minutes (2) (*Authorize the Chairman to Sign*)

- a. Clerk's Presentation of the Claims Journal, November 29, 2011
- b. Open Business Meeting, November 30, 2011

ACTION: S. ULLMAN MOVED TO APPROVE THE TWO SETS OF MINUTES AS LISTED ON THE AGENDA; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

9. Weed and Pest (*Authorize the Chairman to Sign*)

a. Notices of Lien (3)

Name	Parcel	Amount
1. Pacific Northwest Broadcasting	S2115223100	\$92.93
2. Big Beaver Properties LLC	R0919000130	\$50.00
3. DMB Investments LLC	R7104251200	\$140.60

b. Release of Lien (1)

Name	Instrument No.	Date
1. Brighton Corporation	111095786	11/23/2011

ACTION: S. ULLMAN MOVED TO APPROVE THREE NOTICES OF LIEN AND ONE RELEASE OF LIEN FOR WEED & PEST AS LISTED ON THE AGENDA; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

10. Recreation and Event Services (*Authorize the Chairman to Sign*)

a. Expo Idaho - Interim Events (4)

- 1. Ee Da How Longrifles, Fort Boise Gun Show, April 14-15, 2012
- 2. Idaho Promotions Group, The Holiday Extravaganza, November 2-4, 2012
- 3. Khasan Amrakhov, New Year Celebration, December 30, 2011
- 4. Rocky Mountain Pygmy Goat Club, Pygmy Goat Shows, May 5-6 and September 8-9, 2012

- b. Barber Park Education and Event Center (2)
 - 1. Eric Jordan, Company Party, December 18, 2011
 - 2. Lisa Moran, Wedding and Reception, September 22, 2012

ACTION: S. ULLMAN MOVED TO APPROVE THE ITEMS AS LISTED ON THE AGENDA FOR RECREATION AND EVENT SERVICES WHICH INCLUDE FOUR EXPO IDAHO INTERIM EVENT AGREEMENTS AND TWO AGREEMENTS FOR THE BARBER PARK EDUCATION & EVENT CENTER; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

- 11. Agreements (4) (*Authorize the Chairman to Sign the Appropriate Documents*)
 - a. Agreement No. 9579 - Internship Placement Agreement Between Ada County and Brown Mackie College - Boise, Inc. for Internship through the Ada County Sheriff's Office
 - b. Agreement No. 9580 - Agreement Between Ada County and Gila LLC, dba Municipal Services Bureau for Collections Services for Indigent Services
 - c. Agreement No. 9581 - Agreement Between Ada County and HDR Architecture, Inc. for the Professional Commissioning Services for the Pod D Expansion of Ada County Jail
 - d. Agreement No. 9202-1-11 - Amended License Between Ada County and Harris Family Ranch, LLP for Temporary Construction on and Across Ada County's Greenbelt Easement

ACTION: S. ULLMAN MOVED TO APPROVE THE FOUR AGREEMENTS AS LISTED ON THE AGENDA; AND AUTHORIZE THE CHAIRMAN TO SIGN THE APPROPRIATE DOCUMENTS ON BEHALF OF THE BOARD. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

- 12. Miscellaneous (*Authorize the Chairman to Sign*) ****ADDED****
 - Idaho Power Indemnification and Limitation of Liability Relating to the Installation of UG Primary and Transformer next to Existing Sector for the Pod D Expansion of the Ada County Jail

S. Ullman stated that the Indemnification related to the landfill rather than the Pod D Expansion as identified on the agenda.

ACTION: S. ULLMAN MOVED TO CORRECT THE AGENDA TO REFLECT THAT THE INDEMNIFICATION LISTED ON THE AGENDA RELATES TO THE LANDFILL PROJECT RATHER THAN THE POD D EXPANSION. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

ACTION: S. ULLMAN MOVED TO APPROVE THE IDAHO POWER INDEMNIFICATION AND LIMITATION OF LIABILITY RELATING TO THE INSTALLATION OF UG PRIMARY AND TRANSFORMER RELATING TO THE PROJECT AT THE LANDFILL; AND AUTHORIZE THE CHAIRMAN TO SIGN THE APPROPRIATE DOCUMENTS ON BEHALF OF THE BOARD. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

Public Hearing

13. Resolutions (3)

- a. Resolution No. 1801 - Resolution Adjusting the Ada County Budget to Reflect the Receipt of Unscheduled Revenue to the Ada County Operations Department and Development Services Department Budgets
- b. Resolution No. 1802 - Resolution Adjusting the Ada County Budget to Reflect the Receipt of Unscheduled Revenue to the Ada County Juvenile Court Services Budget
- c. Resolution No. 1803 - Resolution for Destruction of Sheriff's Records

R. Yzaguirre read the resolutions into the record and opened the public hearing.

[There was no public testimony.]

R. Yzaguirre closed the public hearing.

S. Ullman discussed Resolution Nos. 1801 and 1802.

ACTION: S. ULLMAN MOVED TO APPROVE RESOLUTION NOS. 1801, 1802 AND 1803 AS LISTED ON THE AGENDA. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

VI. INDIGENT SERVICES:

1. Weekly Indigent Items (*Authorize the Chairman to Sign*)

(12 Approvals; 27 Denials; 36 Liens; 33 Form N1 (UCC) Liens; 9 Releases of Lien; 9 Releases of Form N1 (UCC) Liens; 1 Lien Correction; and 1 Form N3 (UCC) Amendment Lien)

R. Dempsay presented the weekly indigent report and submitted the indigent requests.

2. Special Case (*Authorize the Chairman to Sign*)

- a. #45648
- b. #45659
- c. #45679
- d. #45687
- e. 1108-091

R. Dempsay stated that Application Nos. 45573, 45659, 45679 and 45687 were requests for suspension pending determination of other resources.

R. Dempsay provided the Staff report for Case No. 1108-091, an appeal taken under advisement for 30 days.

3. Tax Hardships

- Name				
	<u>Application #</u>	<u>Parcel #</u>	<u>Year</u>	<u>Amount</u>
- Roman Catholic Diocese of Boise				
	11-040	R8230060170	2011	\$3,339.17

Larry Heilhake was present on behalf of Roman Catholic Diocese of Boise and sworn in for testimony.

R. Dempsay presented the Staff report.

L. Heilhake presented testimony.

R. Dempsay presented the Staff report.

4. Trash Hardships

- Name	<u>Application #</u>
- Jennifer A Bennett -Werner	11-013

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R. Dempsay presented the Staff report.

ACTION: S. ULLMAN MOVED TO ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED DECEMBER 13, 2011, FOR 12 APPROVALS; 27 DENIALS; 36 LIENS; 33 FORM N1 (UCC) LIENS; 9 RELEASES OF LIEN; 9 RELEASES OF FORM N1 (UCC) LIENS; 1 LIEN CORRECTION; AND 1 FORM N3 (UCC) AMENDMENT LIEN; SUSPEND CASE NOS. 45648, 45659, 45679 AND 45687 PENDING DETERMINATION OF OTHER RESOURCES; DENY CASE NO. 1108-091 AS APPLICANT IS NOT MEDICALLY INDIGENT; APPROVE TAX HARDSHIP APPLICATION NO. 11-040; APPROVE TRASH HARDSHIP APPLICATION NO. 11-013; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. V. BISTERFELDT SECONDED.

DISCUSSION: S. ULLMAN DISCUSSED TRASH HARDSHIP APPLICATION NO. 11-013.

ACTION: S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

VII: IN THE MATTER OF RECESS:

There being no further business to come before the Board at this time, the meeting was recessed at 9:33 a.m.


Rick Yzaguirre, Chairman

ATTEST:


Christopher D. Rich, Ada County Clerk