

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE OPEN BUSINESS MEETING
TUESDAY, NOVEMBER 1, 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 and Lyn Call, Treasurer's Office; Bob McQuade, Assessor's Office; Ted Hutchison, Solid Waste; Roxanna Dempsay, Indigent Services; Mark Perfect, Development Services; Rich Wright and Jessica Donald, Department of Administration; Ted Argyle and Lorna Jorgensen, Prosecuting Attorney's Office; and Paul Marusich and Joe Lombardo, Emergency Management. 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:

There were no changes to the agenda.

IV. UNFINISHED BUSINESS:

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

1. Assessor's Office

- Adopt the Revised Findings of Fact, Conclusions of Law and Order Supporting the Denial of the Doris Subdivision - Carol Street(s) Name Change (*Tabled from 10/25/11*)

The Board and B. McQuade discussed the revised Findings of Fact and Conclusions of Law and related ordinance.

ACTION: S. ULLMAN MOVED TO ADOPT THE REVISED FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER SUPPORTING THE DENIAL OF THE DORIS SUBDIVISION CAROL STREET(S) NAME CHANGE. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

2. Agreements (2) (*Authorize Chairman to Sign the Appropriate Documents*)

- a. Agreement No. 9385 - Franchise Agreement Between Ada County and Dynamis Energy, LLC, Regarding Waste to Energy at the Ada County Landfill (*Tabled from 10/25/11*)

ACTION: S. ULLMAN MOVED TO APPROVE AGREEMENT NO. 9385 AS LISTED ON THE AGENDA. R. YZAGUIRRE SECONDED. S. ULLMAN, AYE, AND R. YZAGUIRRE, AYE. V. BISTERFELDT, NAY. THE MOTION CARRIED.

- b. Agreement No. 9495 - Agreement Between Ada County and the Independent School District of Boise City for Lease of Building at 8051 W. Salt Creek Street for Victory Academy for Juvenile Court Services (10/1/11-9/30/12) (*Tabled from 10/25/11*)

The Board discussed Agreement No. 9495.

Minute Book _____, Commissioners, Ada County, Idaho

OPEN

Session,

NOVEMBER 1, 2011

A.D.

ACTION: S. ULLMAN MOVED TO DENY AGREEMENT NO. 9495 AS LISTED ON THE AGENDA. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

V. NEW BUSINESS:

1. Licenses (*Authorize Chairman to Sign*)

a. License Transfer

- Stinker Store # 107, 1601 S. Vista Ave., Boise, Beer/Wine

C. Rich stated that the required fees were paid and the paperwork was in order and awaiting signature.

ACTION: S. ULLMAN MOVED TO APPROVE THE LICENSE TRANSFER 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.

2. Auditor's Office

C. Rich advised the Board that the Auditor's office was finalizing year end. He stated that sales tax revenue came in higher than estimated.

3. Assessor's Office - No Report

4. Treasurer's Office

a. Republic Services - Request for Price Adjustment for Hauling Contract

V. McIntyre and the Board discussed the requested price adjustment.

S. Ullman discussed the overpayment of a second agreement between Ada County and Republic Services. Dave Fisher responded to the Board's concerns and requested that the separate agreements between the County and Republic Services be kept separate.

R. Yzaguirre suggested a meeting with the Board, Staff and Republic Services be scheduled to continue the discussion. He recommended V. McIntyre prepare an agenda for the meeting to address all outstanding issues.

The Board stated that no action on the item would be taken at this time, but authorized the Treasurer's Office to pay the outstanding billing statement at the current rate.

b. Letter of Intent and Credit Application (*Authorize the Chairman to Sign the Appropriate Documents*)

- OPEX 72 Rapid Extraction Desk Lease

ACTION: S. ULLMAN MOVED TO APPROVE THE LETTER OF INTENT AND CREDIT APPLICATION AS LISTED ON THE AGENDA; AND AUTHORIZE THE CHAIRMAN TO SIGN THE APPROPRIATE DOCUMENTS ON BEHALF OF THE BOARD. V. BISTERFELDT SECONDED.

DISCUSSION: S. ULLMAN CONFIRMED THAT THE LETTER OF INTENT IS NOT BINDING ON EITHER PARTY. THE BOARD AND STAFF DISCUSSED THE LEASE IN FURTHER DETAIL.

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

Minute Book _____, Commissioners, Ada County, Idaho

OPEN

Session,

NOVEMBER 1, 2011

A.D.

- c. Certification of 21 Delinquent Personal Property Taxes to 2011 Real Property Tax Roll

L. Call stated that P1STREAMOR01 - Streamside Mortgage was removed from the listing initially provided to the Board because additional information was received that raised questions of the actual ownership of the property related to the business.

ACTION: S. ULLMAN MOVED TO CERTIFY 20 DELINQUENT PERSONAL PROPERTY TAX PARCELS TO THE 2011 REAL PROPERTY TAX ROLL ACCORDING TO THE LIST PROVIDED BY THE ADA COUNTY TREASURER'S OFFICE, EXCLUDING P1STREAMOR01 UNTIL THE REAL PROPERTY OWNER'S IDENTITY CAN BE DETERMINED; 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.

- 5. Claims Journal
 - October 27, 2011

ACTION: S. ULLMAN MOVED TO AUTHORIZE PAYMENT OF CLAIMS ON THE CLAIMS JOURNAL DATED OCTOBER 27, 2011. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

- 6. Personnel Action Forms (1 Disciplinary Action; 1 Introductory Period Completion; 12 Leaves with Pay; 7 Longevity Increases/Sheriff's Pay Plan; 2 Promotions; and 3 Reclassifications)

ACTION: S. ULLMAN MOVED TO APPROVE THE PERSONNEL ACTION FORMS AS LISTED ON THE AGENDA INCLUDING 1 DISCIPLINARY ACTION; 1 INTRODUCTORY PERIOD COMPLETION; 12 LEAVES WITH PAY; 7 LONGEVITY INCREASES/SHERIFF'S PAY PLAN; 2 PROMOTIONS; AND 3 RECLASSIFICATIONS; 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.

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

- a. Notice of Lien

Name	Parcel	Amount
- Kunz Leta	R9294350070	\$98.86

ACTION: S. ULLMAN MOVED TO APPROVE ONE NOTICE 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.

- 8. Agreements (17) (*Authorize the Chairman to Sign the Appropriate Documents*)

- a. Agreement No. 6684-12-11 - Renewal Agreement Between Ada County Business Psychology Associates for Provision of Behavioral Health Care to Ada County Juvenile Corrections (Expires 9/30/12)
- b. Agreement No. 6684-13-11 - Addendum to Agreement Between Ada County Business Psychology Associates for Provision of Behavioral Health Care to Ada

Minute Book _____, Commissioners, Ada County, Idaho

OPEN

Session,

NOVEMBER 1, 2011

A.D.

- County Juvenile Corrections (Regarding Medicaid Substance Use Disorder Specialty Network)
- c. Agreement No. 6684-14-11 - Amendment to Agreement Between Ada County Business Psychology Associates for Provision of Behavioral Health Care to Ada County Juvenile Corrections (Regarding Delivery of and Payment for State Funded Substance Use Disorders)
 - d. Agreement No. 8084-4-11 - Participating Addendum of Western States Contracting Alliance to Agreement Between Ada County and G4S Justice Services for Electronic Monitoring for Ada County Juvenile Services (10/1/11-6/30/12)
 - e. Agreement No. 8481-3-11 - Renewal of Agreement Between Ada County and Business Psychology Associates, Inc. for Behavioral Health Care for Eligible Clients in the Ada County Drug Court Program
 - f. Agreement No. 9534 - Remote Access Agreement Between Ada County and Allied Waste Services of North America, LLC for Access to Certain County Computerized Records
 - g. Agreement No. 9535 - Remote Access Agreement Between Ada County and Nampa & Meridian Irrigation District for Access to Certain County Computerized Records
 - h. Agreement No. 9536 - Remote Access Agreement Between Ada County and New York Irrigation District for Access to Certain County Computerized Records
 - i. Agreement No. 9537 - Remote Access Agreement Between Ada County and Stewart Title Company for Access to Certain County Computerized Records
 - j. Agreement No. 9538 - Remote Access Agreement Between Ada County and TitleOne Corporation for Access to Certain County Computerized Records
 - k. Agreement No. 9539 - Remote Access Agreement Between Ada County and Pioneer Title Company for Access to Certain County Computerized Records
 - l. Agreement No. 9540- Agreement Between Ada County and Promantek, Inc. for ACSO HR TrackStar Software Licenses
 - m. Agreement No. 9541 - Joint Powers Agreement Between Ada County, the Ada County Sheriff's Office and the City of Eagle Relating to Law Enforcement Services
 - n. Agreement No. 9542 - Membership Agreement Between Ada County and TALX Corporation for The Work Number Social Services
 - o. Agreement No. 9543 - Agreement Between Ada County and University of Idaho for Administration and Supervision of the Ada County Extension Office
 - p. Agreement No. 9544 - Interlocal Agreement Between Ada County Highway District and the Ada City-County Emergency Management Office, By and Through Ada County, for the Use of 2009 Homeland Security Grant Program (HSGP) Award Funds to Create a Business Continuity/ Continuity of Operations Plan (ACCEM is passing through \$42,902 to ACHD)
 - q. Agreement No. 9443-1-11 - Project Scope of Services Between Ada County and CH2M Hill for Parking Deck Project

ACTION: S. ULLMAN MOVED TO APPROVE THE 17 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.

Public Hearing

9. Resolutions

- Resolution No. 1793 - Resolution of the Board of Ada County Commissioners Supporting the Construction of the Garden City West Greenbelt Bridge

R. Yzaguirre read Resolution No. 1793 into the record and opened the public hearing.

The Board discussed Resolution No. 1793.

R. Yzaguirre closed the public hearing.

Minute Book _____, Commissioners, Ada County, Idaho

OPEN

Session,

NOVEMBER 1, 2011

A.D.

ACTION: S. ULLMAN MOVED TO APPROVE RESOLUTION NO. 1793 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*)
(11 Approvals; 27 Denials; 35 Liens; 32 Form N1 (UCC) Liens; 19 Releases of Lien; 20 Releases of Form N1 (UCC) Liens; 3 Lien Corrections; and 3 Form N3 (UCC) Lien Amendments)

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

2. Tax Hardships (*Authorize the Chairman to Sign*)

Name	Application #	Parcel #	Year	Amount
Patricia B Carr #11-038		R3856001340	2010	\$1,476.40 + late chgs/int
			2011	\$1,432.64 estimated

Applicant's brother, Michael Boyle, was present on behalf of Applicant and sworn in for testimony.

R. Dempsay presented the Staff report for Tax Hardship Application No. 11-038.

The Board and M. Boyle discussed Applicant's financial and health situation.

David L Razutis #11-039	R1814020700	2009	\$985.78 + late chgs/int
		2010	\$675.90 + late chgs/int

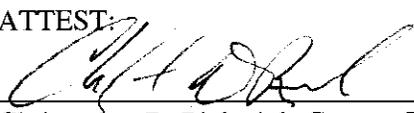
R. Dempsay presented the Staff report for Tax Hardship Application No. 11-039.

ACTION: S. ULLMAN MOVED TO ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED NOVEMBER 1, 2011, FOR 11 APPROVALS; 27 DENIALS; 35 LIENS; 32 FORM N1 (UCC) LIENS; 19 RELEASES OF LIEN; 20 RELEASES OF FORM N1 (UCC) LIENS; 3 LIEN CORRECTIONS; AND 3 FORM N3 (UCC) LIEN AMENDMENTS; DENY TAX HARDSHIP APPLICATION NO. 11-038; APPROVE TAX HARDSHIP APPLICATION NO. 11-039; 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.

VII: IN THE MATTER OF RECESS:

There being no further business to come before the Board at this time, the meeting was recessed at 9:38 a.m.


Rick Yzaguirre, Chairman

ATTEST:

Christopher D. Rich, Ada County Clerk