

**BOARD OF ADA COUNTY COMMISSIONERS  
MINUTES OF THE OPEN BUSINESS MEETING  
TUESDAY, JANUARY 3, 2012  
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 and Kathleen Graves, Clerk's Office; Vicky McIntyre and Lyn Call, Treasurer's Office; Bob Perkins, Purchasing; Dave Logan, Operations; Kelly Helland and Renee Jaques, Indigent Services; Erica Thompson, Assessor's Office; Lorna Jorgenson, Prosecuting Attorney's Office; and Rich Wright, Department of Administration. Minutes Recorder: Judy Morris.

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**I. IN THE MATTER OF CALL TO ORDER:**

Commissioner Rick Yzaguirre called the meeting of the Ada County Commissioners to order at 9:01 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:**

- Purchasing

- a. Protest of Award: Bid 12009 Ada County Expansion of Weed and Pest Facilities Phase II Truck Storage Building

B. Perkins provided the Board a copy of the bid award protest received from Ellsworth Kincaid Construction objecting to the award of the bid to Dave Allen Construction.

The Board discussed the merits of the protest. S. Ullman suggested all bids be rejected to be fair to all parties.

B. Perkins explained the handwriting on the outside of the envelope of the bid submitted by Dave Allen Construction.

S. Ullman suggested that a policy be established to avoid a similar situation in the future.

- b. Award of Bid 12009 Ada County Expansion of Weed and Pest Facilities Phase II Truck Storage Building (*Tabled from 12/20/11*)

**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.**

**ACTION: S. ULLMAN MOVED, BASED ON THE CONVERSATION PRIOR TO REMOVING THE UNFINISHED BUSINESS FROM THE TABLE, TO REJECT ALL BIDS WITH REGARD TO THE PROTEST OF AWARD OF BID 12009 AND THE AWARD OF BID 12009. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.**

**V. NEW BUSINESS:**

1. Licenses (*Authorize the Chairman to Sign*)

- New License

- Crux, 1022 Main St., 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 ONE NEW LICENSE 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 provided the Board a Balance Sheet of Governmental Funds for the period ending September 30, 2011, as required under Idaho Statutes. The Board and C. Rich discussed the financial statement.

3. Claims Journal

- December 28, 2011

**ACTION: S. ULLMAN MOVED TO AUTHORIZE PAYMENT OF CLAIMS ON THE CLAIMS JOURNAL DATED DECEMBER 28, 2011. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.**

4. Personnel Action Forms (1 Leave with Pay; 1 Longevity Increase/Sheriff's Pay Plan)

**ACTION: S. ULLMAN MOVED TO APPROVE THE PERSONNEL ACTION FORMS AS LISTED ON THE AGENDA INCLUDING 1 LEAVE WITH PAY; AND 1 LONGEVITY INCREASE/SHERIFF'S PAY PLAN; 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

6. Treasurer's Office

a. Time Extension Applications (3)

- 2011 Personal Property Tax Roll

<u>Name</u>	<u>Parcel No.</u>
a. Kathleen Alder	MOAKW002752
b. Janneal Wilks	MKITX962702
c. Lisette Ortega Telles	MGOLD972710

The Board and V. McIntyre discussed the time extension applications.

**ACTION: S. ULLMAN MOVED TO APPROVE THE THREE TIME EXTENSIONS AS LISTED ON THE AGENDA. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.**

S. Ullman discussed the issue with mobile homes that are located on a property that is not owned by the owner of the mobile home. She stated that she believes the legislation needs to be changed to make mobile homes equal to real properties with regard to payment of property taxes.

b. Execution of the Approval of the Action of Allowing a 3.87% CPI Increase for Allied Waste Services, Effective December 1, 2011

V. McIntyre stated that the execution of the approval of the action allowing a 3.87% increase was just a formality. The increase was previously approved, but

nothing had been signed by the Board authorizing the action. She confirmed that no additional action or motion was needed at this time.

S. Ullman reiterated her objections to the increase.

7. Tax Cancellations (53) (1-2009; 3-2010; 48-2011; 1-Casualty Loss) (*Authorize the Chairman to Sign*)

- a. 2009 Property Roll (1)
  - Hemker Thomas P R4737700151
  
- b. 2010 Property Roll (3)
  1. Reischl Uwe R1079990040
  2. Meredith Steven A R1294540030
  3. Hemker Thomas P R4737700151
  
- c. 2011 Subsequent Roll (19)
  1. Sabell Scott G R1132500025
  2. Choate Courtney R3610310580
  3. Caruso Brian D R1582150200
  4. Zborowski Mitchel T R4588420530
  5. McMains Virginia R9846850510
  6. Kondratyuk Alex R1095180030
  7. Manning Bill R0882370160
  8. Merrill Galan R7807680540
  9. Bailey Justin R5125310350
  10. Slack Louis R1080010110
  11. Forsmann Kelly J R7475320120
  12. Farmer William Corey R8036130280
  13. Ameritas Life Insurance Corp P1AMERLIF01
  14. Cryder Donald S Revocable Livi R0573410060
  15. Jlj Enterprises Inc S1234223500
  16. Finger Prints Nail Design P1FINGPRI01
  17. Tresidio Corporation R3369320080
  18. Williams Kenneth R & Nancy R L R7879270610
  19. Mcfadden Vicki Revocable Living Trust R6905310060
  
- d. 2011 Property Roll (29)
  1. Linden Mobile Home Park MSKY1801405
  2. Rh Plantation Shopping Center R7100510250
  3. Mountain West Ira Inc fbo Kris R3856000100
  4. Macpherson Daniel L R7101210080
  5. Church Of Jesus Christ of Latt S1405110465
  6. Piva John R5254000005
  7. Sulik Paul R8217340100
  8. Lines Alvin Keith R4959750005
  9. Blaine Elizabeth A Living Trust R1721000535
  10. Zamzow Leigh Taylor R5691000160
  11. Bartlett Brett C R8313650025
  12. Hemker Thomas P R4737700151
  13. Kovaleski Colleen A S1432233825
  14. Mann Darrell H MBILT580805
  15. Lasher Development LLC dba Ind MCHAM941451
  16. Midway Distributor LLC P1MIDWAYD01
  17. Meredith Steven A R1294540030
  18. Beal Debra M R1277420290
  19. Delagardelle Craig A R2024820010
  20. Reischl Uwe R1079990040
  21. Hines Matthew N R1525740340
  22. Idaho Dairy Products Commissio R7138500020
  23. Mann Robert R0541500370
  24. Scaggs Jeffrey L R4219210075
  25. Stage Coach Inc R6635250100
  26. Boise City (Boise Parks & Recr S0919346650
  27. Advanced Open Imaging P1ADOPNIM01
  28. Murdock Steven E R2024350890
  29. Pointblank LLC P1ADAOFFI01

e. Casualty Loss

- Brown, Albert &amp; Judith

R1625504400

**ACTION: S. ULLMAN MOVED TO APPROVE THE TAX CANCELLATIONS AS LISTED ON THE AGENDA WHICH INCLUDE 1 TAX CANCELLATION FOR 2009, 3 TAX CANCELLATIONS FOR 2010, 48 TAX CANCELLATIONS FOR 2011, AND 1 CASUALTY LOSS; 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. Volunteer Board Appointments (10)

- a. Appointment of John Browder to the Ada County Planning & Zoning Commission, term to expire on 3/11/12
- b. Appointment of Travis Jeffers to the Ada County Historic Preservation Council, term to expire 2/17/12
- c. Appointment of Sarah Schafer to the Ada County Historic Preservation Council, term to expire 6/1/13
- d. Appointment of Angela Hansen to the Ada County Historic Preservation Council, term to expire 2/18/15
- e. Appointment of James B. Keller to the Parks, Open Space and Trails Advisory Board, term to expire 9/30/12
- f. Appointment of Brandy Wilson to the Parks, Open Space and Trails Advisory Board, term to expire 9/30/13
- g. Appointment of Lt. Michael Schneider to the Ada County Waterways Advisory Committee, term to expire 10/31/13
- h. Appointment of Morris Bastian to the Ada County Weed, Pest and Mosquito Abatement Advisory Committee, term to expire 9/30/13
- i. Reappointment of John Browder to the Ada County Planning & Zoning Commission, term to expire on 2/17/15
- j. Reappointment of Travis Jeffers to the Ada County Historic Preservation Council, term to expire 2/17/15

**ACTION: S. ULLMAN MOVED TO APPROVE THE TEN VOLUNTEER BOARD APPOINTMENTS AS LISTED ON THE AGENDA, WITH THE TERMS OF EXPIRATION AS SPECIFIED. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.**

9. Approval of Minutes (3) (*Authorize the Chairman to Sign*)

- a. Public Hearing, December 7, 2011
- b. Development Services Meeting, December 20, 2011
- c. Open Business Meeting, December 27, 2012

**ACTION: S. ULLMAN MOVED TO APPROVE THE THREE 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.**

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

- Release of Lien

Name	Instrument No.	Date
- Surkamer Michelle M	111103810	12/21/2011

**ACTION: S. ULLMAN MOVED TO APPROVE 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.**

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

- Barber Park Education and Event Center (3)
  1. Dax Chizum, Fundraiser, June 14, 2012
  2. Jayne Marler, Wedding Reception, January 7, 2012
  3. Kelsey Bates, Wedding and Reception, October 6, 2012

**ACTION: S. ULLMAN MOVED TO APPROVE THE ITEMS AS LISTED ON THE AGENDA FOR RECREATION AND EVENT SERVICES WHICH INCLUDE THREE 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.**

12. Agreements (4) (*Authorize the Chairman to Sign the Appropriate Documents*)

- a. Agreement No. 9597 - Agreement Between Ada County and Animal Specialties for Dairy Cow Exhibit/Demo, Petting Farm, Pony Ride and Hands-On Educational Entertainment during the 2012 Western Idaho Fair (8/17-26/2012)
- b. Agreement No. 9598 - Agreement Between Ada County and Camas County for Pathology Services to Payette County (10/1/11-9/30/12)
- c. Agreement No. 8937-2-12 - Renewal Agreement Between Ada County and Official Payments Corporation for Merchant Payment Services for Convenience Fees (FY 2011-12)
- d. Agreement No. 9406-1-12 - Project Scope of Services Between Ada County and Eidam & Associates for Courthouse Generator and Radio Equipment Addition

R. Yzaguirre read the agreement numbers into the record.

**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.**

**VI. INDIGENT SERVICES:**

1. Weekly Indigent Items (*Authorize the Chairman to Sign*)  
(10 Approvals; 38 Denials; 27 Liens; 26 Form N1 (UCC) Liens; 10 Releases of Lien; 10 Releases of Form N1 (UCC) Liens; 10 Lien Corrections; 10 Form N3 (UCC) Amendment Liens; and 6 Amended Orders of Reimbursement)

K. Helland presented the weekly indigent report and submitted the indigent requests.

2. Special Cases (6) (*Authorize the Chairman to Sign*)

- a. #45654
- b. #45852
- c. #45854
- d. 1108-112
- e. 1111-343
- f. 0701-013

K. Helland stated that Special Case Nos. 45654, 45852 and 45854 were suspended applications pending determination of other resources.

R. Jacques presented the Staff reports for Special Case Nos. 1108-112, 1111-343 and 0701-013, which were requests for modified Orders of Reimbursement.

The Board and R. Jacques discussed the special cases.

**ACTION: S. ULLMAN MOVED TO ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED JANUARY 3, 2012, FOR 10 APPROVALS; 38 DENIALS; 27 LIENS; 26 FORM N1 (UCC) LIENS; 10 RELEASES OF LIEN; 10 RELEASES OF FORM N1 (UCC) LIENS; 10 LIEN CORRECTIONS; 10 FORM N3 (UCC) AMENDMENT LIENS; AND 6 AMENDED ORDERS OF REIMBURSEMENT; SUSPEND CASE NOS. 45654, 45852 AND 45854 PENDING DETERMINATION OF OTHER RESOURCES; REVOKE THE INITIAL ORDER OF REIMBURSEMENT FOR CASE NO. 1108-112 AND REQUEST A PROMISSORY NOTE AND NEW ORDER OF REIMBURSEMENT OF \$25 PER MONTH FOR 144 MONTHS; REVOKE THE ORDER FOR REIMBURSEMENT FOR CASE NO 1111-343 AS THERE ARE NO ASSETS AT THIS TIME; AMEND THE INITIAL ORDER OF REIMBURSEMENT FOR CASE NO 0701-013 AND REQUIRE A PROMISSORY NOTE FOR THE FULL AMOUNT ACTUALLY PAID OUT AS WELL AS AN ORDER OF REIMBURSEMENT OF \$25 PER MONTH FOR 144 MONTHS; 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 9:30 a.m.

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Rick Yzaguirre, Chairman

ATTEST:

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Christopher D. Rich, Ada County Clerk