

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE PUBLIC HEARING
WEDNESDAY, FEBRUARY 15, 2012
6:00 P.M.**

The Board of Ada County Commissioners (Board) met this date in the Ada County Public Hearing Room of the Ada County Courthouse Complex. Staff present: Mark Perfect and Brent Danielson, Development Services; Dave Logan, Operations; and Ted Argyle, Prosecuting Attorney's Office. Minutes Recorder: Judy Morris.

I. IN THE MATTER OF CALL TO ORDER:

Commissioner Rick Yzaguirre called the meeting to order at 6:05 p.m.

II. IN THE MATTER OF ROLL CALL:

Commissioners Rick Yzaguirre and Sharon M. Ullman were present.

III. IN THE MATTER OF CHANGES TO THE AGENDA:

There were no changes to the agenda.

IV. IN THE MATTER OF NEW BUSINESS:

- 1. 200600339 CU-MSP-TE ANOTHER VICTORY, LLC:** Board level time extension for self-service storage unit facility. The property contains 13.754 acres and is located at 7202 W. Victory Road, Section 19 3N 2E

M. Perfect requested that Application No. 200600339 be tabled to March 14, 2012.

ACTION: S. ULLMAN MOVED TO TABLE APPLICATION NO. 200600339 CU-MSP-TE ANOTHER VICTORY, LLC, TO MARCH 14, 2012. R. YZAGUIRRE SECONDED. S. ULLMAN, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.

- 2. 201101231 CU-V TED WHEELER:** Application to install a freestanding wind tower and request a variance for the building setback and the DBA. The property contains 75.590 acres and is located at 8385 S. Eagle Road, Meridian, 83642, Section 8 2N 1E

M. Perfect advised the Board that Applicant requested this application be tabled to May 9, 2012.

ACTION: S. ULLMAN MOVED TO TABLE APPLICATION NO. 201101231 CU-V TED WHEELER TO MAY 9, 2012. R. YZAGUIRRE SECONDED. S. ULLMAN, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.

- 3. 2011001116 ZOA ADA COUNTY:** A zoning ordinance text amendment amending Ada County Code Sections 8-7E-1 through 8-7E-6 to clarify that these sections of the Ada County Code apply to public hearings in front of the Ada County Planning and Zoning Commission with the exception of Ada County Code Section 8-7E-5 where only the Board of County Commissioners has the authority to reopen a record to receive additional evidence.

B. Danielson submitted and read into the record Exhibit Nos. 22 and 23. He then presented the Staff report.

R. Yzaguirre opened the public hearing.

S. Ullman clarified that the ordinance would allow the Planning and Zoning Commission to swear in individuals that are appearing to testify.

R. Yzaguirre closed the public hearing.

ACTION: S. ULLMAN MOVED TO APPROVE APPLICATION NO. 2011001116 ZOA ADA COUNTY AND ADOPT THE FINDINGS OF FACT AND CONCLUSIONS OF LAW. R.

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

V. INFORMATIONAL MEETING:

- Sage Acres Water Improvement Project

R. Yzaguirre introduced Dave Logan and explained that this portion of the hearing was an informational meeting regarding the Sage Acres Water Improvement Project (LID) and the purpose of the meeting was to provide current information and allow the homeowners to ask questions.

D. Logan introduced Robert DeSchazo of Eagle Water Company and Kathy Cooper of SPF Water Engineering. He then advised that the meeting was intended to discuss the proposed project, the anticipated costs of proceeding with the project and the steps that would be taken next.

V. McIntyre provided handouts to the homeowners and discussed the estimated LID cost and proposed financing.

Monique Hale stated her name for the record and asked for an explanation regarding the contingency in the current proposal as compared to the previous estimate provided to the homeowners. She stated water lines were recently installed on Arnold Street and that to her knowledge, the residents were not charged for the installation.

Hugh Massie stated his name and address for the record. He commented on M. Hale's testimony regarding the water line installation on Arnold Street.

Al Horton inquired what the projected meter and hook-up fees would be. He also asked what the anticipated monthly fee would be.

Robert DeSchazo addressed the estimated hook-up and connection fees related to the project.

The Board and R. DeSchazo discussed the anticipated monthly fees and the hook-up and connection expenses in further detail.

D. Logan explained that each lot would be different based on many variables involved with the actual hook-up from the main line to the individual lot.

S. Ullman asked V. McIntyre if there were grants available for homeowners unable to finance the LID. V. McIntyre stated that she had not found any available grants to assist with the financing.

Jeanette Hoffman stated her name and address for the record. She asked how the meters would be installed in relation to the existing wells. She and R. DeSchazo discussed how the meters would be installed and how the waterlines would run from the meters.

A. Horton re-approached the podium to discuss the construction and connection fees.

S. Ullman explained the estimated LID funding as well as the proposed financing. She discussed what was included in the estimate and that the hook-up and connections fees would be an additional expense to the homeowner.

Bob Maze stated his name and address for the record. He inquired if the expense for the LID would be split equally among the fifty-three lots reflected on the map provided by D. Logan. He asked if the individual homeowners would have an option to pay off their portion of the LID at any time following the initial financing.

The Board and V. McIntyre addressed B. Maze's questions.

H. Massie re-approached the podium. He asked if the hook-up and connection fees were assessed at the time the project was completed or when the homeowner connected to the system. R. DeSchazo explained the fees would not be assessed until the homeowner actually connected to the water system.

M. Hale re-approached the podium and asked for further explanation of where the meters would be installed. She and R. DeSchazo discussed this in further detail.

S. Ullman asked for a show of hands of homeowners that wanted to proceed with the project as currently presented. R. Yzaguirre explained that this project had already been voted on and approved.

M. Hale asked if any legal problems were created based on the fact that the project had changed from what was initially presented and voted on. T. Argyle responded that the Board is empowered by the code to proceed with the LID and explained why the previous proposal was not used. M. Hale discussed her concerns with the LID and asked if the County had any plans to ensure the project was safeguarded once construction moved forward.

R. Yzaguirre responded that the Homeowners Association contacted the County and requested the Board's assistance with the LID. He explained the Board's part in the project was to provide a mechanism for the homeowners to have a good water supply. S. Ullman discussed the Board's efforts to reduce construction expenses and provide financing options for the project.

Toni Thornton stated her name and address for the record. She expressed her concerns regarding the expenses relating to the project.

Dana DeChambeau stated his name for the record and discussed the Homeowners Association's position and their continued support of the project.

S. Ullman suggested the Homeowners Association request a group of plumbers and/or contractors to provide estimates to the homeowners to hook-up to the meters.

Leon Fowler stated his name and address for the record. He stated he believed his lot would be at the highest point on the property and asked what the water pressure would be. K. Cooper responded to his inquiry.

D. Logan explained the next steps moving forward with the project.

S. Ullman requested Staff research the water connection on Arnold Street. She directed Staff to determine the estimated cost differential between the individual lots and make that information available to the homeowners. She also requested that, if possible, the contingency portion of the contract be limited.

V. McIntyre explained the financing in further detail.

M. Hale re-approached the podium to ask if a homeowner's assessment for the LID would need to be paid in full if the house was sold. V. McIntyre confirmed that the homeowner's balance of the LID would need to be paid at the time of the house sale.

VI. IN THE MATTER OF ADJOURNMENT:

There being no further business to come before the Board on this date, the meeting was adjourned at 7:50 p.m.

Rick Yzaguirre, Chairman

ATTEST:

Christopher D. Rich, Ada County Clerk