

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE OPEN BUSINESS MEETING
TUESDAY, FEBRUARY 28, 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: Phil McGrane and Kathleen Graves, Clerk's Office; Vicky McIntyre, Treasurer's Office; Bob Perkins, Purchasing; Dave Logan, Operations; Kelly Helland and Renee Jaques, Indigent Services; Brian Wilbur, Weed, Pest and Mosquito Abatement; Tim Tallman, Assessor's Office; and Beth Mahn, Prosecuting Attorney'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:

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.

- Purchasing
- Award of Bid 12015 Ada County Weed, Pest, & Mosquito Abatement Pesticides (*Tabled from 2/14/12*)

B. Perkins presented the Evaluation Committee's recommendation for award. S. Ullman read the Evaluation Committee's recommendation into the record.

ACTION: S. ULLMAN MOVED TO ACCEPT THE RECOMMENDATION OF THE EVALUATION COMMITTEE AND AWARD BID 12015, ADA COUNTY WEED, PEST, & MOSQUITO ABATEMENT PESTICIDES, TO UNIVAR USA INC. FOR ALTOSID PELLETS IN THE AMOUNT OF \$1,102.20 PER CASE, RED RIVER SPECIALTIES INC. FOR PERSPECTIVE IN THE AMOUNT OF \$4.60 PER OUNCE AND HELENA CHEMICAL CO. FOR DIURON 4L IN THE AMOUNT OF \$19.73 PER GALLON. 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*)
 - License Renewals (94)
 1. Albertson's # 101, 1650 W. State St., Boise, Beer/Wine
 2. Albertson's # 119, 1219 Broadway Ave., Boise, Beer/Wine
 3. Albertson's # 154, 1520 N. Cole Rd., Boise, Beer/Wine
 4. Albertson's # 156, 7100 W. State St., Boise, Beer/Wine
 5. Albertson's # 160, 10500 Overland Rd., Boise, Beer/Wine
 6. Albertson's # 161, 10700 Ustick Rd., Boise, Beer/Wine
 7. Albertson's # 162, 5100 Overland Rd., Boise, Beer/Wine
 8. Albertson's # 164, 20 E. Fairview Ave., Boise, Beer/Wine
 9. Albertson's # 169, 909 E. Park Center Blvd., Boise, Beer/Wine
 10. Albertson's # 177, 4700 N. Eagle Rd., Boise, Beer/Wine

11. Albertson's # 180, 3301 W. Cherry Lane, Meridian, Beer/Wine
12. Albertson's # 182, 250 S. Eagle Rd., Eagle, Beer/Wine
13. Albertson's # 184, 6560 S. Federal Way, Boise, Beer/Wine
14. Albertson's # 189, 3614 W. State St., Boise, Beer/Wine
15. Albertson's # 193, 1653 S. Vista Ave., Boise, Beer/Wine
16. Beer Guys, 275 N. Edgewood Lane, Eagle, Beer/Wine
17. Bier: Thirty Bottle & Bistro, 3073 S. Bown Way, Boise, Beer/Wine
18. Boise Grocery Outlet, 5544 Fairview Ave., Boise, Beer/Wine
19. Brews Brothers Pub, 6928 W. State St., Boise, Beer/Wine
20. Cactus, 517 Main St., Boise, Beer/Liquor
21. Campos Market, 413 N. Orchard St., Boise, Beer/Wine
22. Chili's Bar & Grill, 7997 Franklin, Boise, Beer/Liquor
23. Creative Gift Baskets, 8553 W. Pool Ct., Garden City, Beer/Wine
24. Crickets, 1228 Oakland, Boise, Beer/Liquor
25. End Zone, 1010 Broadway Ave., Boise, Beer/Liquor
26. Europe Delicious, 9958 W. Fairview Ave., Boise, Beer/Wine
27. Hannah's, 621 Main St., Boise, Beer/Liquor
28. Idaho Pizza Company, 1677 Broadway, Boise, Beer/Wine
29. Jacksons Food Store # 1, 412 Fairview Ave., Meridian, Beer/Wine
30. Jacksons Food Store # 10, 2728 S. Orchard St., Boise, Beer/Wine
31. Jacksons Food Store # 105, 3291 E. Pine St., Meridian, Beer/Wine
32. Jacksons Food Store # 11, 1585 Meridian Rd., Meridian, Beer/Wine
33. Jacksons Food Store # 118, 1651 W. Franklin Rd., Meridian, Beer/Wine
34. Jacksons Food Store # 119, 9016 Ustick Rd., Boise, Beer/Wine
35. Jacksons Food Store # 120, 4400 Chinden Blvd., Garden City, Beer/Wine
36. Jacksons Food Store # 121, 5801 Franklin Rd., Boise, Beer/Wine
37. Jacksons Food Store # 122, 5797 Overland Rd., Boise, Beer/Wine
38. Jacksons Food Store # 123, 2405 Vista Ave., Boise, Beer/Wine
39. Jacksons Food Store # 125, 107 Broadway Ave., Boise, Beer/Wine
40. Jacksons Food Store # 14, 2323 Bogus Basin Rd., Boise, Beer/Wine
41. Jacksons Food Store # 140, 3010 Goldstone Drive East, Meridian, Beer/Wine
42. Jacksons Food Store # 2, 505 S. Capitol Blvd., Boise, Beer/Wine
43. Jacksons Food Store # 20, 1107 N. Curtis Rd., Boise, Beer/Wine
44. Jacksons Food Store # 25, 5985 Glenwood, Garden City, Beer/Wine
45. Jacksons Food Store # 26, 330 W. 3rd St., Kuna, Beer/Wine
46. Jacksons Food Store # 28, 6350 Fairview Ave., Boise, Beer/Wine
47. Jacksons Food Store # 34, 3200 Vista Ave., Boise, Beer/Wine
48. Jacksons Food Store # 35, 522 W. Cherry Lane, Meridian, Beer/Wine
49. Jacksons Food Store # 36, 818 N. 8th St., Boise, Beer/Wine
50. Jacksons Food Store # 404 N. Roosevelt, Boise, Beer/Wine
51. Jacksons Food Store # 42, 791 N. Garden St., Boise, Beer/Wine
52. Jacksons Food Store # 44, 897 S. Cole Rd., Boise, Beer/Wine
53. Jacksons Food Store # 46, 4190 Nez Perce, Boise, Beer/Wine
54. Jacksons Food Store # 49, 4608 S. Cole Rd., Boise, Beer/Wine
55. Jacksons Food Store # 50, 1575 S. Boise Ave., Boise, Beer/Wine
56. Jacksons Food Store # 51, 6225 S. Five Mile Rd., Boise, Beer/Wine
57. Jacksons Food Store # 52, 1203 S. Orchard St., Boise, Beer/Wine
58. Jacksons Food Store # 53, 6010 W. State St., Boise, Beer/Wine
59. Jacksons Food Store # 54, 8990 Overland Rd., Boise, Beer/Wine
60. Jacksons Food Store # 56, 66 E. State St., Meridian, Beer/Wine
61. Jacksons Food Store # 57, 30 W. State St., Eagle, Beer/Wine
62. Jacksons Food Store # 7, 3110 W. State St., Boise, Beer/Wine
63. Jacksons Food Store # 79, 2002 Broadway Ave., Boise, Beer/Wine
64. Jacksons Food Store # 81, 2689 Federal Way, Boise, Beer/Wine
65. Jacksons Food Store # 86, 1005 Broadway, Boise, Beer/Wine
66. Jacksons Food Store # 87, 2581 Broadway Ave., Boise, Beer/Wine
67. Jacksons Food Store # 88, 2510 W. Fairview Ave., Boise, Beer/Wine
68. Jacksons Food Store # 89, 3780 Chinden Blvd., Garden City, Beer/Wine
69. Jacksons Food Store # 91, 6400 W. State St., Boise, Beer/Wine
70. Jacksons Food Store # 93, 7373 Franklin, Boise, Beer/Wine
71. Jacksons Food Store # 94, 741 N. Milwaukee, Boise, Beer/Wine
72. Jacksons Food Store # 95, 9545 Chinden Blvd., Garden City, Beer/Wine
73. Jacksons Food Store # 96, 9820 Fairview Ave., Boise, Beer/Wine
74. Jacksons Food Store # 97, 3100 E. Magic View, Meridian, Beer/Wine
75. Jacksons Food Store # 98, 1950 E. Fairview Ave., Meridian, Beer/Wine
76. Jacksons Food Store # 99, 180 E. Central Dr., Meridian, Beer/Wine

- 77. Jay Mart, 1522 W. State St., Boise, Beer/Wine
- 78. Kit Kat Klub, 4842 W. Franklin Rd., Meridian, Beer/Wine
- 79. Little Dutch Garden, 1910 S. Owyhee St., Boise, Beer/Wine
- 80. Pinnacle Sports Grill, 2902 Eagle Rd. N., Meridian, Beer/Liquor
- 81. Sakana Sushi & Steak House, 1718 S. Eagle Rd., Meridian, Beer/Wine
- 82. Sa-wad-dee, 1890 E. Fairview Ave., Ste. B., Meridian, Beer/Liquor
- 83. Sun Ray Café, 1602 N. 13th, Boise, Beer/Liquor
- 84. Superb Sushi Downtown, 280 N. 8th St. Ste. 104, Boise, Beer/Wine
- 85. Thai Cuisine Restaurant, 6777 Overland Rd., Boise, Beer/Wine
- 86. Ultra Touch, 835 E. Fairview Ave., Boise, Beer/Wine
- 87. Wal Mart Store # 2508, 8300 W. Overland Rd., Boise, Beer/Wine
- 88. Wal Mart Store # 2861, 7319 W. State St., Garden City, Beer/Wine
- 89. Wal Mart Store # 2862, 4051 E. Fairview Ave., Meridian, Beer/Wine
- 90. Westy's Garden Lanes, 5504 W. Alworth, Garden City, Beer/Liquor
- 91. Winco Foods # 1, 110 E. Myrtle St., Boise, Beer/Wine
- 92. Winco Foods # 27, 3032 E. State St., Eagle, Beer/Wine
- 93. Winco Foods # 48, 1050 S. Progress Ave., Meridian, Beer/Wine
- 94. Winco Foods # 6, 8200 Fairview Ave., Boise, Beer/Wine

P. McGrane stated that the required fees were paid and the paperwork was in order and awaiting signature.

ACTION: S. ULLMAN MOVED TO APPROVE THE 94 LICENSE RENEWALS 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

- Proclamation for Association of Government Accountants – Certified Government Financial Manager Month (March)

P. McGrane and K. Graves discussed the proclamation.

ACTION: S. ULLMAN MOVED TO ADOPT THE PROCLAMATION AS LISTED ON THE AGENDA. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

3. Claims Journal

- February 27, 2012

ACTION: S. ULLMAN MOVED TO AUTHORIZE PAYMENT OF CLAIMS ON THE CLAIMS JOURNAL DATED FEBRUARY 27, 2012. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

4. Personnel Action Forms (4 Conditional Pay Increases; 9 Introductory Period Completions with Pay Increases; 2 Leaves with Pay; 1 Longevity Increase/Sheriff's Pay Plan; 14 Miscellaneous; 1 POST Certification Increase; 2 Promotions; 1 Reclassification; and 5 Step Increases/Sheriff's Pay Plan)

ACTION: S. ULLMAN MOVED TO APPROVE THE PERSONNEL ACTION FORMS AS LISTED ON THE AGENDA INCLUDING 4 CONDITIONAL PAY INCREASES; 9 INTRODUCTORY PERIOD COMPLETIONS WITH PAY INCREASES; 2 LEAVES WITH PAY; 1 LONGEVITY INCREASE/SHERIFF'S PAY PLAN; 14 MISCELLANEOUS; 1 POST CERTIFICATION INCREASE; 2 PROMOTIONS; 1 RECLASSIFICATION; AND 5 STEP INCREASES/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
 - Trash Exemption Request
 - Kartchner/Rasmussen/Mee

V. McIntyre and the Board discussed the trash exemption request.

ACTION: S. ULLMAN MOVED TO APPROVE THE TRASH EXEMPTION REQUEST AS LISTED ON THE AGENDA FOR A ONE YEAR PERIOD. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

7. Department of Administration
 - Ratification of Submission of McKesson Governmental Payor Settlement Proof of Claim Form signed on February 23, 2012

ACTION: S. ULLMAN MOVED TO APPROVE AND RATIFY THE CHAIRMAN'S SIGNATURE ON THE FORM FOR SUBMISSION OF MCKESSON GOVERNMENTAL PAYOR SETTLEMENT PROOF OF CLAIM AS LISTED ON THE AGENDA. 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 or Acting Chairman, as Appropriate, to Sign*)
 - a. General Session of the Indigent Hearing, February 13, 2012
 - b. Executive Session of the Indigent Hearing, February 13, 2012

ACTION: S. ULLMAN MOVED TO APPROVE THE TWO SETS OF MINUTES AS LISTED ON THE AGENDA; AND AUTHORIZE THE CHAIRMAN OR ACTING CHAIRMAN, AS APPROPRIATE, 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*)
 - Authorize the Director of Ada County Weed Control as the Individual with Overall Responsibility for Environmental Matters for Ada County, Specifically to Make Changes to the PDMP (Pesticide Discharge Management Plan)

ACTION: S. ULLMAN MOVED TO AUTHORIZE THE DIRECTOR OF ADA COUNTY WEED CONTROL AS THE INDIVIDUAL WITH OVERALL RESPONSIBILITY FOR ENVIRONMENTAL MATTERS FOR ADA COUNTY, SPECIFICALLY TO MAKE CHANGES TO THE PESTICIDE DISCHARGE MANAGEMENT PLAN. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

10. Expo Idaho (*Authorize the Chairman to Sign*)
 - Interim Events (3)
 1. Dennis Dillon Auto Park, Car, Truck, RV & Boat Show/Sale, May 10-13, 2012
 2. Idaho Syringa Dairy Goat Association, Dairy Goat Show, May 25-27, 2012

3. National Council of Examiners for Engineering and Surveying, October 26-27, 2012

ACTION: S. ULLMAN MOVED TO APPROVE THE THREE INTERIM AGREEMENTS AS LISTED ON THE AGENDA FOR EXPO IDAHO; 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. Parks and Waterways (*Authorize the Chairman to Sign*)

- Barber Park Education and Event Center (3)
 1. Dan Isaak, Wedding and Reception, August 10, 2012
 2. Michal Walden, Wedding and Reception, September 30, 2012
 3. Paula Koch, Wedding and Reception, September 23, 2012

ACTION: S. ULLMAN MOVED TO APPROVE THE THREE AGREEMENTS FOR THE BARBER PARK EDUCATION & EVENT CENTER AS LISTED ON THE AGENDA FOR PARKS AND WATERWAYS; 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 (3) (*Authorize the Chairman to Sign the Appropriate Documents*)

- a. Agreement No. 9639 - Agreement Between Ada County and Fast Track Entertainment, Inc. for Kids' Pedal Tractor Pull During the 2012 Western Idaho Fair (8/17-8/26/12)
- b. Agreement No. 9640 - Agreement Between Ada County and Idaho Transportation Department for General and Noxious Weed Control
- c. Agreement No. 9641 - Administrative Services Agreement Between Ada County and Blue Cross of Idaho Health Service, Inc. for Administrative Services and Benefit Payment Services (FY 2011-2012)

R. Yzaguirre read the agreement numbers into the record.

ACTION: S. ULLMAN MOVED TO APPROVE THE THREE 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*)
(12 Approvals; 35 Denials; 26 Liens; 23 Form N1 (UCC) Liens; 24 Releases of Lien; 21 Releases of Form N1 (UCC) Liens; 2 Lien Corrections; and 2 Form N3 (UCC) Amendment Liens)

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

2. Special Cases (10) (*Authorize the Chairman to Sign*)
 - a. #46081
 - b. #46084
 - c. #46092
 - d. #46238
 - e. #46275
 - f. 1110-029
 - g. 1111-108

K. Helland advised the Board that Application Nos. 46081, 46084, 46092, 46238 and 46275 were suspended pending determination of other benefits.

K. Helland presented the Staff reports for Case Nos. 1110-029 and 1111-108, which were appeals taken under advisement for 30 days.

S. Ullman and K. Helland discussed Case No. 1110-029.

- h. 0811-063
- i. 0810-068
- j. 1007-099

R. Jaques presented the Staff report for Case No. 1111-108, a request for a release of lien on Applicant's manufactured home.

R. Jaques presented the Staff reports for Case Nos. 0810-068 and 1007-099, which were petitions to modify Orders of Reimbursement.

ACTION: S. ULLMAN MOVED TO ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED FEBRUARY 28, 2012, FOR 12 APPROVALS; 35 DENIALS; 26 LIENS; 23 FORM N1 (UCC) LIENS; 24 RELEASES OF LIEN; 21 RELEASES OF FORM N1 (UCC) LIENS; 2 LIEN CORRECTIONS; AND 2 FORM N3 (UCC) AMENDMENT LIENS; SUSPEND CASE NOS. 46081, 46084, 46092, 46238 AND 46275 PENDING DETERMINATION OF OTHER RESOURCES; TABLE CASE NO. 1110-029 TO THE FEBRUARY 28, 2012 PA STAFF MEETING; DENY CASE NO. 1111-108 AS THE BILLS WERE DUPLICATIONS OF BILLS PREVIOUSLY PAID; RELEASE THE LIEN ONLY AS IT RELATES TO THE MANUFACTURED HOME IN CASE 0811-063, BUT LEAVE THE LIEN IN PLACE FOR THE REMAINING BALANCE DUE TO THE COUNTY; AGREE TO REDUCE THE MONTHLY PAYMENT IN CASE NO. 0810-068 TO \$50 PER MONTH AND REVIEW IN ONE YEAR TO SEE IF CIRCUMSTANCES HAVE CHANGED; REDUCE THE MONTHLY PAYMENT IN CASE NO. 1007-099 TO \$50 PER MONTH AND REVIEW IN ONE YEAR TO SEE IF CIRCUMSTANCES HAVE CHANGED; 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.

[Case No. 1110-029 was Denied.]

VII: IN THE MATTER OF RECESS:

There being no further business to come before the Board at this time, the meeting was recessed at 9:22 a.m.

Rick Yzaguirre, Chairman

ATTEST:

Christopher D. Rich, Ada County Clerk