

**BOARD OF ADA COUNTY COMMISSIONERS  
MINUTES OF THE OPEN BUSINESS MEETING  
TUESDAY, MARCH 6, 2012  
10:00 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: Chelsea Carattini, Clerk's Office; Bob McQuade, Assessor's Office; Vicky McIntyre, Treasurer's Office; Brian Wilbur, Weed, Pest and Mosquito Abatement; Bob Perkins, Purchasing; Dave Logan and Bruce Krisko, Operations; Roxanna Dempsay, Indigent Services; and Rich Wright and Judy Morris, Department of Administration. Minutes Recorder: Donna Dana.

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

Commissioner Rick Yzaguirre called the meeting of the Ada County Commissioners to order at 10:02 a.m.

**II. IN THE MATTER OF ROLL CALL:**

Commissioners Rick Yzaguirre and Vernon L. Bisterfeldt were present.

**III. CHANGES TO THE AGENDA:**

There were no changes to the agenda.

**IV. NEW BUSINESS:**

1. Purchasing

- Opening of Bid 12012 Pod D Expansion of Ada County Jail

B. Perkins provided the Board nine responses to Bid 12012 Pod D Expansion of Ada County Jail. He requested the names of each bidder, confirmation that a bid bond security was included, and the base bid sum amount be read into the record.

R. Yzaguirre read the requested information into the record.

B. Perkins requested the award of Bid 12012 be tabled to March 20, 2012, to allow the Evaluation Committee time to assess the proposals.

**ACTION: V. BISTERFELDT MOVED TO TABLE THE AWARD OF BID 12012 POD D EXPANSION OF ADA COUNTY JAIL, TO MARCH 20, 2012. R. YZAGUIRRE SECONDED. V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.**

*[Commissioner Sharon M. Ullman joined the meeting.]*

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

a. New Licenses

- Kahootz Steak & Alehouse, 1603 N. Main, Meridian, Beer/Liquor

b. License Transfers (2)

1. Ono Hawaiian Café, 2170 Broadway Ave., Boise, Beer/Wine
2. Sockeye Grill & Brewery, 3019 N. Cole Rd., Boise, Beer/Wine

c. License Renewals (79)

1. Anniversary Inn, 1575 S. Lusk Ave., Boise, Beer/Wine
2. Applebee's Neighborhood Grill & Bar, 1460 N. Eagle Rd., Meridian, Beer/Liquor
3. Applebee's Neighborhood Grill & Bar, 2810 W. Elder St., Boise, Beer/Liquor
4. Applebee's Neighborhood Grill & Bar, 7025 N. Glenwood St., Garden City, Beer/Liquor
5. Applebee's Neighborhood Grill & Bar, 7845 W. Emerald, Boise, Beer/Liquor
6. Beer House, 9751 Cory Lane, Boise, Beer/Wine
7. Berryhill & Co., 121 N. 9th St., Ste. 102, Boise, Beer/Liquor
8. Big K Mart # 3298, 10477 Fairview Ave., Boise, Beer/Wine

9. Boise Ranch Golf Course, 6501 S. Cloverdale Rd., Boise, Beer/Liquor
10. Carino's Italian, 1700 S. Entertainment Ave., Boise, Beer/Liquor
11. Chili's Bar & Grill, 916 Broadway Ave., Boise, Beer/Liquor
12. Chili's/On The Border, 3004 N. Eagle Rd., Meridian, Beer/Liquor
13. China Palace, 625 E. State St., Eagle, Beer/Wine
14. Chuck E Cheese's, 6255 Fairview Ave., Boise, Beer Only
15. Cigarette Store, 200 E. Fairview Ave., Meridian, Beer Only
16. Confucius Restaurant, 8775 Fairview Ave., Boise, Beer/Wine
17. Costco Wholesale # 761, 2051 S. Cole Rd., Boise, Beer/Wine
18. Crow Inn, 6781 Warm Springs Ave., Boise, Beer/Wine
19. Dry Creek Mercantile, 5892 W. Hidden Springs Dr., Boise, Beer/Wine
20. El Gallo Giro, 5285 Glenwood, Garden City, Beer/Liquor
21. Fairview 66, 12150 W. Fairview Ave., Boise, Beer/Wine
22. Falcon Crest, 11102 S. Cloverdale Rd., Kuna, Beer/Liquor
23. Famous Dave's Restaurants, 3510 N. Eagle Rd., Meridian, Beer/Liquor
24. Fast Eddy's Locust Grove, 1745 E. Overland, Meridian, Beer/Wine
25. Fast Eddy's Ten Mile, 750 N. Ten Mile, Meridian, Beer/Wine
26. Firebird Raceway, Hwy 16 5Miles N of Hwy 44, Star, Beer/Wine
27. Firehouse Pub & Grill, 1767 W. Franklin Rd., Meridian, Beer/Liquor
28. Gem Stop # 12, 4168 Chinden Blvd., Garden City, Beer/Wine
29. Hooters of Boise, 8000 W. Franklin Rd., Boise, Beer/Wine
30. Idaho Pizza Company, 405 E. Fairview Ave., Boise, Beer/Wine
31. Justo's, 518 E. State St., Eagle, Beer/Wine
32. K 9 Bar, 2506 Main St., Boise, Beer/Liquor
33. Kahootz Steak & Alehouse, 1603 N. Main St., Meridian, Beer/Liquor
34. Legacy Feed & Fuel, 3100 S. Meridian Rd., Meridian, Beer/Wine
35. Leku Ona, 117 S. 6th St., Boise, Beer/Liquor
36. Lindy's, 12249 W. Chinden, Boise, Beer/Liquor
37. Ling & Louie's Asian Bar & Grill, 3210 E. Louise Dr. Meridian, Beer/Liquor
38. Lock Stock & Barrell, 1100 W. Jefferson, Boise, Beer/Liquor
39. M & W Markets # 4, 1835 Warm Springs Ave., Boise, Beer/Wine
40. Matador, 215 8th St., Boise, Beer/Liquor
41. Mongolian BBQ, 8249 W. Overland Rd., Ste. 180, Boise, Beer Only
42. New York Richies, 5865 N. Glenwood Ste. D, Garden City, Beer/Wine
43. Old Chicago, 350 N. Milwaukee # 1017, Boise, Beer/Liquor
44. Old Chicago, 730 W. Idaho St., Boise, Beer/Liquor
45. Old Spaghetti Factory, 610 W. Idaho, Boise, Beer/Liquor
46. Olive Garden # 1251, 320 N. Milwaukee, Boise, Beer/Liquor
47. On The Border Mexican Grill & Cantina, 7802 Spectrum St., Boise, Beer/Liquor
48. Overland Chevron Gas N Go, 7110 Overland Rd., Boise, Beer/Wine
49. Oxford Suites, 1426 S. Entertainment Ave., Boise, Beer/Wine
50. Pilot Travel Center # 777, 3353 Federal Way, Boise, Beer/Wine
51. Red Lobster # 6259, 550 N. Milwaukee St., Boise, Beer/Liquor
52. Star Country Café, 10883 W. State St., Star, Beer/Wine
53. Star Mercantile, 10942 W. State St., Star, Beer/Wine
54. Stinker Store # 102, 1500 S. Five Mile Rd., Boise, Beer/Wine
55. Stinker Store # 104, 1525 S. Orchard St., Boise, Beer/Wine
56. Stinker Store # 105, 434 S. Eagle Rd., Eagle, Beer/Wine
57. Stinker Store # 106, 6658 S. Federal Way, Boise, Beer/Wine
58. Stinker Store # 107, 1601 S. Vista Ave., Boise, Beer/Wine
59. Stinker Store # 109, 4744 N. Eagle Rd., Boise, Beer/Wine
60. Stinker Store # 22, 3203 N. Cole Rd., Boise, Beer/Wine
61. Stinker Store # 23, 2323 Main St., Boise, Beer/Wine
62. Stinker Store # 24, 620 Vista Ave., Boise, Beer/Wine
63. Stinker Store # 30, 1607 S. Broadway Ave., Boise, Beer/Wine
64. Stinker Store # 31, 300 N. Orchard St., Boise, Beer/Wine
65. Stinker Store # 32, 1620 N. 13th St., Boise, Beer/Wine
66. Stinker Store # 37, 4925 Glenwood, Garden City, Beer/Wine
67. Stinker Store # 39, 10500 W. State St., Eagle, Beer/Wine
68. Stinker Store # 50, 530 N. Five Mile Rd., Boise, Beer/Wine
69. Stinker Store # 56, 8155 Franklin Rd., Boise, Beer/Wine
70. Stinker Store # 57, 2959 S. Cole Rd., Boise, Beer/Wine
71. Stinker Store # 58, 2550 S. Apple St., Boise, Beer/Wine
72. Stinker Store # 59, 10677 W. Ustick Rd., Boise, Beer/Wine

- 73. Stinker Store # 70, 3412 W. State St., Boise, Beer/Wine
- 74. Stinker Store # 77, 6803 Overland Rd., Boise, Beer/Wine
- 75. Stinker Store # 83, 6300 N. Eagle Rd., Boise, Beer/Wine
- 76. Sud's Tavern, 1024 Broadway Ave., Boise, Beer/Liquor
- 77. Tango's Subs & Empanadas, 701 N. Orchard, Boise, Beer Only
- 78. Tenth Street Station, 104 N. 10th St., Boise, Beer/Liquor
- 79. Ustick Chevron, 770 W. Ustick, Meridian, Beer/Wine

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

**ACTION: S. ULLMAN MOVED TO APPROVE THE LICENSES AS LISTED ON THE AGENDA INCLUDING 1 NEW LICENSE, 2 LICENSE TRANSFERS AND 79 LICENSE RENEWALS; 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.**

- 3. Auditor's Office - No Report
- 4. Personnel Action Forms (7 Leaves with Pay; 1 Longevity Increase/Sheriff's Pay Plan; 4 Miscellaneous; 2 Promotions; and 1 Step Increase/Sheriff's Pay Plan)

**ACTION: S. ULLMAN MOVED TO APPROVE THE PERSONNEL ACTION FORMS AS LISTED ON THE AGENDA INCLUDING 7 LEAVES WITH PAY; 1 LONGEVITY INCREASE/SHERIFF'S PAY PLAN; 4 MISCELLANEOUS; 2 PROMOTIONS; AND 1 STEP 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
  - R. McQuade discussed the 2012 property tax roll and pending legislation.

- 6. Treasurer's Office
  - Monthly Report, February 29, 2012

V. McIntyre reviewed the monthly report and discussed pending legislation relating to transient and personal property taxes.

- 7. Expo Idaho (*Authorize the Chairman to Sign*)
  - Interim Events
    - Amie Ramirez, Quinceanera, July 21, 2012

**ACTION: S. ULLMAN MOVED TO APPROVE THE ONE INTERIM EVENT AGREEMENT 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.**

- 8. Parks and Waterways (*Authorize the Chairman to Sign*)
  - Barber Park Education and Event Center (3)
    - 1. Amber Lavoie, Wedding and Reception, October 11, 2012
    - 2. Caitlin Cross, Wedding and Reception, July 21, 2012
    - 3. Christopher Townsend, Wedding and Reception, July 28, 2012

**ACTION: S. ULLMAN MOVED TO APPROVE THE THREE BARBER PARK EDUCATION & EVENT CENTER**

**AGREEMENTS 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.**

9. Agreements (7) (*Authorize the Chairman to Sign the Appropriate Documents*)
- a. Agreement No. 9642 - Agreement Between Ada County and Helena Chemical Company for the Purchase of Pesticides
  - b. Agreement No. 9643 - Agreement Between Ada County and Red River Specialties, Inc. for the Purchase of Pesticides
  - c. Agreement No. 9644 - Agreement Between Ada County and TEI, A Division of ATEI Company, Inc. and Tammy Barton for Hypnotist Entertainment (WIF 8/21-26/12)
  - d. Agreement No. 9645 - Agreement Between Ada County and Jeff Kessenich, Hot Air Balloonist, for Launching and Landing at Lady Bird Park (Expires 9/30/12)
  - e. Agreement No. 9646 - Agreement Between Ada County and Williams Scotsman, Inc. for Lease of Temporary Office at the Landfill
  - f. Agreement No. 9647 - Agreement Between Ada County and EKC, Inc. for the Expansion of the Weed & Pest Facilities, Phase II Truck Storage Building
  - g. Agreement No. 9646-1-12 - Addendum to the Agreement Between Ada County and Williams Scotsman, Inc. for Lease of Temporary Office at the Landfill

R. Yzaguirre read the agreement numbers into the record.

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

#### 10. Resolutions

- Resolution No. 1815 - Resolution Updating Ada County Request for Accommodation and Grievance Procedure Under the Americans with Disabilities Act

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

*[There was no public testimony.]*

R. Yzaguirre closed the public hearing.

**ACTION: S. ULLMAN MOVED TO APPROVE RESOLUTION NO. 1815 AS LISTED ON THE AGENDA. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.**

### **V. INDIGENT SERVICES:**

1. Weekly Indigent Items (*Authorize the Chairman to Sign*)  
(7 Approvals; 19 Denials; 34 Liens; 34 Form N1 (UCC) Liens; 25 Releases of Lien; 22 Releases of Form N1 (UCC) Liens; 3 Lien Corrections; 3 Form N3 (UCC) Amendment Liens; and 1 Partial Lien Release)

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

- 2. Special Cases (3) (*Authorize the Chairman to Sign*)
  - a. #46146
  - b. 1111-113
  - c. 1202-049

R. Dempsay stated that Case No. 46146 was a suspended application pending determination of other resources. She then presented the Staff reports for Case No. 1111-113, an appeal taken under advisement for 30 days and Case No. 1202-049, an appeal case with Pre-existing Condition Insurance Plan (PCIP) premiums.

**ACTION: S. ULLMAN MOVED TO ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED MARCH 6, 2012, FOR 7 APPROVALS; 19 DENIALS; 34 LIENS; 34 FORM N1 (UCC) LIENS; 25 RELEASES OF LIEN; 22 RELEASES OF FORM N1 (UCC) LIENS; 3 LIEN CORRECTIONS; 3 FORM N3 (UCC) AMENDMENT LIENS; AND 1 PARTIAL LIEN RELEASE; SUSPEND CASE NO. 46146 PENDING DETERMINATION OF OTHER RESOURCES; APPROVE CASE NO. 1111-113 WITH A REQUIREMENT OF AN ORDER OF REIMBURSEMENT AND SIGNED PROMISSORY NOTE TO REIMBURSE THE COUNTY A LUMP SUM OF \$4,600 OR THE EXACT AMOUNT PAID OUT AS OF SEPTEMBER 2016; APPROVE THE MEDICAL PAYMENTS FROM FEBRUARY 1, 2012, THROUGH FEBRUARY 29, 2012, FOR NECESSARY MEDICAL SERVICES AND THE PAYMENT OF PCIP PREMIUMS FOR THE PERIOD MARCH 1, 2012, THROUGH AUGUST 31, 2012, IN CASE NO. 1202-049; 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.**

- 3. Tax Hardships (3) (*Authorize the Chairman to Sign*)

Name	Application #	Parcel #	Year	Amount
1. Glenda M Gibson	12-004	R2909530020	2011	\$888.16*
2. Linda Lee Hyde	12-005	R9035290100	2009	\$1,320.34*
			2010	\$1,135.22*
			2011	\$953.67*
3. John Ponton	12-006	MFUQU831401	2011	\$177.30*

\*With Late Charges & Interest thru 03/06/2012

R. Dempsay presented the Staff reports for the tax hardship applications.

**ACTION: S. ULLMAN MOVED TO DENY APPLICATION NO. 12-004 AS THERE IS NO THREAT OF TAX DEED AND THERE ARE AVAILABLE RESOURCES TO PAY THE TAXES; DENY APPLICATION NO. 12-005 AS THERE IS NO THREAT OF TAX DEED, THERE ARE THREE ADULT CHILDREN LIVING IN THE HOME THAT SHOULD BE CONTRIBUTING TO THE EXPENSES AND THERE ARE AVAILABLE RESOURCES TO PAY THE TAXES; APPROVE APPLICATION NO. 12-006 AS THERE IS A THREAT OF TAX DEED; 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.**

4. Trash Hardships

- Name

<u>Application #</u>	<u>Acct #</u>	<u>Year</u>
1. MaryAnn MacLachlan 12-002	234301	2012
2. James M Boyd Jr 12-003	363755	2012
3. Betty Lynn 12-004	325345	2012

R. Dempsay presented the Staff reports for the trash hardship applications.

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

**VI: IN THE MATTER OF RECESS:**

There being no further business to come before the Board at this time, the meeting was recessed at 10:46 a.m.

\_\_\_\_\_  
Rick Yzaguirre, Chairman

ATTEST:

\_\_\_\_\_  
Christopher D. Rich, Ada County Clerk