

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE OPEN BUSINESS MEETING
TUESDAY, SEPTEMBER 4, 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, Phil McGrane, Tim Sturgis, Kathleen Graves and JoMeta Spencer, Clerk's Office; Vicky McIntyre, Treasurer's Office; Bob McQuade and Erica Thompson, Assessor's Office; Bob Perkins and Melissa Shillington, Purchasing; Dave Logan, Operations; Gary Raney, Ron Freeman, Kelli Bolicek, Matt Steele, Carlos DeLeon, Matt Clifford and Patrick Calley, Sheriff's Office; Leslie Penney, Information Technology; Rich Wright and Kim Osborn, Department of Administration; Greg Bower, Ted Argyle, Jan Bennetts, Nancy Werdel and Claire Tardiff, Prosecuting Attorney's Office; and Alan Trimming, Public Defender's Office. 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 9:00 a.m.

II. IN THE MATTER OF ROLL CALL:

Commissioners Rick Yzaguirre, Sharon M. Ullman and David L. Case were present.

III. CHANGES TO THE AGENDA:

There were no changes to the agenda.

IV. UNFINISHED BUSINESS:

Public Hearing

1. Auditor's Office

- Resolution No. 1841 - Resolution to Adopt the Ada County Budget for All County Funds for Fiscal Year 2012-2013 (*Tabled from 8/28/12; Public Hearing Left Open; Item Removed From the Table on 8/30/12 for Further Discussion; Re-Tabled from 8/30/12 Discussion*)

ACTION: S. ULLMAN MOVED TO REMOVE RESOLUTION NO. 1841 FROM THE TABLE FOR CONSIDERATION. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

R. Yzaguirre stated the public hearing was left open on Resolution No. 1841 and that the Board has had many discussions relating to the resolution.

[There was no public testimony.]

R. Yzaguirre closed the public hearing.

ACTION: D. CASE MOVED TO ADOPT RESOLUTION NO. 1841, WHICH, AS PROVIDED BY IDAHO CODE SECTIONS 31-1604 AND 1605, SETS THE BUDGET FOR FISCAL YEAR 2012-2013, TOTALING \$183,474,721 IN APPROPRIATIONS, TO INCLUDE \$82,658,878 IN PROPERTY TAXES AND \$100,815,843 IN NON-PROPERTY TAX REVENUES AND BY THE DETAIL ATTACHED, REFLECTS THE AMOUNTS ALLOTTED TO EACH DEPARTMENT AND FUND OF THE COUNTY. S. ULLMAN SECONDED.

DISCUSSION: S. ULLMAN DISCUSSED THE PREVIOUS MEETINGS HELD TO DELIBERATE THE PROPOSED BUDGET AND THE POSITIONS TAKEN BY EACH OF THE COMMISSIONERS.

ACTION: D. CASE, AYE, S. ULLMAN, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

ACTION: S. ULLMAN MOVED TO REMOVE THE 16 AGREEMENTS AS LISTED ON THE AGENDA UNDER UNFINISHED BUSINESS FROM THE TABLE FOR CONSIDERATION. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

2. Agreements (16) (*Authorize the Chairman to Sign the Appropriate Documents*) (*Tabled from 8/28/12, unless otherwise noted*)
- a. Agreement No. 9755 - Agreement Between Ada County and Fisher's Document Systems for Lease of Model LD533SP for Coroner's Office FY12-13
 - b. Agreement No. 9756 - Renewal Agreement Between Ada County and Fishers Document Systems, for Lease and Maintenance of Copiers, Model LD360SP for Use in the Family Court (No. 9302), Copy Room 5131 (No. 9303), Copy Room 5130 (No. 9297) and Drug Court Treatment (No. 9578) FY12-13
 - c. Agreement No. 9757 - Agreement Between Ada County and Xerox Corporation for Lease of Copier, Model W5755A for Use at Ada County Courthouse, 2nd Floor FY12-13
 - d. Agreement No. 9758 - Renewal Agreement Between Ada County and Xerox, for Lease and Maintenance of Copier, Model LDQ5655 for Use in the Marshals' Office (No. 8922), Jury Office (No. 8923), WC5755 Magistrate Court, 4th Fl (No. 9283) Drug Court (No. 9284) and 5775PT Trial Court Administration (No. 9711) FY12-13
 - e. Agreement No. 9760 - Memorandum of Understanding Among Ada County, Idaho Department of Corrections, Peace Officer Standards and Training, and Idaho State Policy for use of Firing Range by Ada County Marshals (Exp 6/30/13)
 - f. Agreement No. 9762 - Agreement Between Ada County, Ada County Sheriff's Office and the Administrative District Judge of the Fourth Judicial District of the State of Idaho for Provision of Ada County Misdemeanor Probation Services (*Tabled from 8/30/12 PA Staff Mtg*)
 - g. Agreement No. 9763 - Agreement Between Ada County and Payette County for Pathology Services FY12-13
 - h. Agreement No. 9764 - Agreement Between Ada County and Adams County for Pathology Services FY12-13
 - i. Agreement No. 9765 - Agreement Between Ada County and Great West Retirement Services for Life & Annuity Group Fixed and Variable Deferred Annuity
 - j. Agreement No. 9766 - Letter Agreement Between Ada County and Great West Retirement Services Regarding Group Fixed and Variable Deferred Annuity
 - k. Agreement No. 9767 - Agreement Between Ada County and Great West Retirement Services for Life & Annuity Group Fixed Deferred Annuity
 - l. Agreement No. 9768 - Letter Agreement Between Ada County and Great West Retirement Services Regarding Group Fixed Annuity
 - m. Agreement No. 9769 - Agreement Between Ada County and Great West Retirement Services for Recordkeeping and Communication Services
 - n. Agreement No. 6434-1-12 - State of Idaho Lease M-6050 Authorizing Ada County Parks and Waterways to Develop and Manage a Recreational Facility on State Endowment Land Adjacent to Hubbard Reservoir (Exp 12/31/27)
 - o. Agreement No. 8812-3-12 - Renewal of Agreement Between Ada County and University of California-San Francisco for Pathology Services FY12-13
 - p. Agreement No. 9621-1-12 - Renewal Agreement Between Ada County and the Exchange Club of Boise for Youth Court, a Community-Based Diversion Program for First-Time Juvenile Offenders (FY12-13)

Nancy Werdel discussed the status of agreement number 9762.

ACTION: S. ULLMAN MOVED TO TABLE AGREEMENT NO. 9762 TO THE SEPTEMBER 6, 2012, LEGAL STAFF MEETING. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

ACTION: S. ULLMAN MOVED TO APPROVE THE REMAINING 15 AGREEMENTS AS LISTED ON THE AGENDA; AND AUTHORIZE THE CHAIRMAN TO SIGN THE APPROPRIATE DOCUMENTS ON BEHALF OF THE BOARD. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

V. NEW BUSINESS:

1. Purchasing

- Opening of RFQ 12053 Public Safety Network Consulting Services for Ada County Emergency Communications

B. Perkins provided the Board four responses to RFQ 12053. He requested the names of each bidder be read into the record.

R. Yzaguirre read the requested information into the record.

B. Perkins stated the Evaluation Committee needed time to assess the proposals. He requested this item be tabled to September 17, 2012, at which time the Evaluation Committee would provide a shortlist of qualified bidders ranked in order of preference.

ACTION: D. CASE MOVED TO TABLE THE SHORTLIST OF QUALIFIED BIDDERS FOR RFQ 12053 TO SEPTEMBER 17, 2012. S. ULLMAN SECONDED.

DISCUSSION: R. YZAGUIRRE AND B. PERKINS DISCUSSED THE SHORTLIST AND THE PROCEDURE FOR MOVING FORWARD WITH NEGOTIATIONS.

ACTION: D. CASE, AYE, S. ULLMAN, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

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

a. Catering Permits (11)

1. Cowgirls at Alpine Ponds for Lacey Howard Wedding, September 8th from 12pm to 1:30am
2. End Zone at Barber Park Event Center for Boise VA Team Building Event, September 6th from 10am to 10pm
3. End Zone at Barber Park Event Center for Allred-Cureton Wedding, September 8th from 10am to 10pm
4. End Zone at Barber Park Event Center for Terry Reilly Health Services Gala, September 13th from 10am to 10pm
5. End Zone at Barber Park Event Center for Maiolie Wedding, September 14th from 10am to 10pm
6. End Zone at Barber Park Event Center for Morgan Wedding, September 15th from 10am to 10pm
7. End Zone at Barber Park Event Center for HP Dinner Event, September 19th from 10am to 10pm
8. End Zone at Barber Park Event Center for META Fundraiser, September 20th from 10am to 10pm
9. End Zone at Barber Park Event Center for Allied Business Helpful Happy Hour, September 21st from 10am to 10pm
10. End Zone at Barber Park Event Center for Moran Wedding, September 22nd from 10am to 10pm
11. End Zone at Barber Park Event Center for Leake Wedding, September 29th from 10am to 10pm

b. New Licenses

- Jenny's Lunch Line, 560 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 CLARIFY THAT THERE ARE 11 CATERING PERMITS LISTED ON THE AGENDA. SHE THEN MOVED TO APPROVE THE LICENSES AS LISTED ON THE AGENDA INCLUDING 11 CATERING PERMITS, AND 1 NEW LICENSE; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

3. Auditor's Office

- Canvass and Certify Election Results for the Kuna School District Levy

ACTION: D. CASE MOVED, PURSUANT TO IDAHO CODE SECTION 34-1205, WHICH REQUIRES THE BOARD OF COUNTY COMMISSIONERS TO CANVASS ELECTION RETURNS, TO CERTIFY THE ELECTION RESULTS ARE PRESENTED FOR THE KUNA JOINT DISTRICT NO. 3 LEVY ELECTION HELD ON AUGUST 28, 2012. S. ULLMAN SECONDED. D. CASE, AYE, S. ULLMAN, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

4. Claims Journal

- August 29, 2012

ACTION: S. ULLMAN MOVED TO AUTHORIZE PAYMENT OF CLAIMS ON THE CLAIMS JOURNAL DATED AUGUST 29, 2012. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

5. Personnel Action Forms (3 Leaves with Pay; 1 Miscellaneous; 2 Promotions)

ACTION: D. CASE MOVED TO APPROVE THE PERSONNEL ACTION FORMS AS LISTED ON THE AGENDA INCLUDING 3 LEAVES WITH PAY; 1 MISCELLANEOUS; AND 2 PROMOTIONS; AND THAT THE SUMMARY SHEET REMAIN ON FILE IN THE COMMISSIONERS' OFFICE. S. ULLMAN SECONDED. D. CASE, AYE, S. ULLMAN, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

6. Treasurer's Office - No Report

7. Assessor's Office

Bob McQuade discussed the information obtained at the Assessor's conference relating to site exemptions and personal property taxes. He advised that the purpose of the site exemption was to bring uniformity to valuing improved land. He explained that the State Tax Commission is reluctant to give clear direction to Assessors on valuing the land. He said he anticipates legislation in the near future to provide Assessors direction on valuing the land and addressing the issue of conveyance. He said there is a strong movement to take personal property taxes off the tax rolls, but there are still many questions in the air at this time.

8. Tax Cancellations (36) (3-2010; 9-2011;24-2012) (*Authorize the Chairman to Sign*)

a. 2010 Property Roll (3)

1. Fulcher Everett G	S1132141910
2. DBSI Meridian I84 LLC (ITD)	R4885160105
3. Lewis Jennifer J	R5399380380

b. 2011 Property Roll (9)

1. Strohmeyer Michael M	R3432320650
2. Fulcher Everett G	S1132141910
3. Taylor Steven W	S1323417487
4. Cook Lysle R	R5647012580
5. Construx Concrete Restoration	P1CONCORE02

6. Idaho Transportation Department	R4885160105
7. Idaho Transportation Department	R5743000038
8. Idaho Transportation Department	R5743000010
9. Lewis Jennifer J	R5399380380
c. <u>2012 Property Roll (24)</u>	
1. Fuentes Carmen I Cabrera	R3271730870
2. Columbia Trust	S0436336111
3. Toll Charlotte	R6890020150
4. Tugby Jason	R7326000075
5. Later Family Year 2003 Revocab	R6989360040
6. Rodgers William C	R4588110110
7. Moffat Homes Llc	R2734502340
8. Lewis Jennifer J	R5399380380
9. Strohmeier Michael M	R3432320650
10. Chell David	R1789280540
11. Houtman Fredrick	R1656330030
12. Martin Marla	R5199250230
13. Fulcher Everett G	S1132141910
14. Roy Theodore	R0988260140
15. Anderson-Spear Trust	R5330150450
16. Elledge James Nelis	R1083920350
17. Taylor Steven W	S1323417487
18. Bicandi Gary J	R3616470050
19. Wieneke Karen C	R1579210250
20. Twin Islands Llc	R2734510692
21. Embassy Inc	R7334150205
22. Cook Lysle R	R5647012580
23. Keranovic Hamzo	R0739740040
24. Vargas Barajas Jose S	MTITA781402

D. Case asked B. McQuade to clarify the tax cancellation for DBSI Meridian I84 LLC (ITD). Erica Thompson explained the request for the tax cancellation.

ACTION: S. ULLMAN MOVED TO APPROVE THE TAX CANCELLATIONS AS LISTED ON THE AGENDA WHICH INCLUDE 3 TAX CANCELLATIONS FOR 2012, 9 TAX CANCELLATIONS FOR 2011, AND 24 TAX CANCELLATION FOR 2012; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

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

- Notices of Lien (5)

<u>Name</u>	<u>Parcel</u>	<u>Amount</u>
1. Whipple Brian K	R5330200030	\$257.89
2. Trinity Evangelical Free Church of America	S1006346650	\$50.00
3. Thomas Valerie Jean	R7789000005	\$216.29
4. Epperson John P JR	R7569810042	\$98.05
5. Snow Charlotte Ann	S0234411260	\$95.54

ACTION: D. CASE MOVED TO APPROVE FIVE NOTICES OF LIEN FOR WEED & PEST AS LISTED ON THE AGENDA; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. S. ULLMAN SECONDED. D. CASE, AYE, S. ULLMAN, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

10. Parks and Waterways (*Authorize the Chairman to Sign*)

- Barber Park Education and Event Center (2)

1. Russell Duke, Business Meeting, June 7, 2013
2. Scott Winegar, Company Event, September 19, 2012

The Board discussed the agreement for Russell Duke, Central District Health, and the fees associated with the agreement.

ACTION: S. ULLMAN MOVED TO APPROVE THE TWO BARBER PARK EDUCATION & EVENT CENTER AGREEMENTS AS LISTED ON THE AGENDA FOR PARKS AND WATERWAYS AND MODIFY THE AGREEMENT TO WAIVE THE FEES FOR RUSSELL DUKE, CENTRAL DISTRICT HEALTH; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

14. Agreements (14) (*Authorize the Chairman to Sign the Appropriate Documents*)
- a. Agreement No. 9771 - Agreement Between Ada County and Robert R. Chastain for Outside Counsel for Conflict Clients of the Public Defender's Office FY12-13
 - b. Agreement No. 9772 - Agreement Between Ada County and J. Scott Dowdy for Outside Counsel for Conflict Clients of the Public Defender's Office FY12-13
 - c. Agreement No. 9773 - Agreement Between Ada County and Theresa Martin for Outside Counsel for Conflict Clients of the Public Defender's Office FY12-13
 - d. Agreement No. 9774 - Agreement Between Ada County and Ellsworth, Kallas, Talboy & DeFranco, PLLC for Outside Counsel for Conflict Clients of the Public Defender's Office FY12-13
 - e. Agreement No. 9775 - Agreement Between Ada County and Paul R. Taber, III for Outside Counsel for Conflict Clients of the Public Defender's Office FY12-13
 - f. Agreement No. 9776 - Agreement Between Ada County and Randall S. Barnum for Outside Counsel for Conflict Clients of the Public Defender's Office FY12-13
 - g. Agreement No. 9777 - Agreement Between Ada County and Davis & Walker for Outside Counsel for Conflict Clients of the Public Defender's Office FY12-13
 - h. Agreement No. 9778 - Agreement Between Ada County and Fisher's Document Systems for Lease Lanier LD370 and LD370sp for Public Defender's Office FY12-13
 - i. Agreement No. 9779 - Agreement Between Ada County and the U.S. Department of Agriculture Forest Service for Lease of Shafter Butte Lots for Emergency Communications Radio Equipment (Expires 12/31/2042)
 - j. Agreement No. 9780 - Agreement Between Ada County and Fisher's Document Systems for Lease of Model MPC4502 for Treasurer's Office FY12-13
 - k. Agreement No. 9781 - Agreement Between Ada County and Sawyer Inc., dba Orkin Idaho for Pest Control for Ada County Facilities FY12-13
 - l. Agreement No. 8883-3-12 - Renewal of Service Agreement Between Ada County and Intermountain Dictation for Dictation Software and Hardware Support at the Coroner's Office FY12-13
 - m. Agreement No. 9377-1-12 - Renewal Agreement Between Ada County and Eide Bailly LLP, for Auditing Services for Ada County's Comprehensive Annual Financial Report FY12-13
 - n. Agreement No. 9782 - Agreement between Ada County and Microsoft for Enrollment under the Visual Studio Enterprise Agreement

R. Yzaguirre read the agreement numbers into the record.

ACTION: S. ULLMAN MOVED TO APPROVE THE 14 AGREEMENTS AS LISTED ON THE AGENDA; AND AUTHORIZE THE CHAIRMAN TO SIGN THE APPROPRIATE DOCUMENTS ON BEHALF OF THE BOARD. D. CASE SECONDED. S. ULLMAN, AYE, D.

CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

Public Hearing

12. Resolutions

- Resolution No. 1847 - Resolution Adjusting the Ada County Budget to Reflect the Receipt of Unscheduled Revenue to the Ada County Sheriff's Office Budget

R. Yzaguirre read Resolution No. 1847 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. 1847 AS LISTED ON THE AGENDA. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, 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 9:31 a.m.

Rick Yzaguirre, Chairman

ATTEST:

Christopher D. Rich, Ada County Clerk