

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE MEETING TO DISCUSS TABLED AGREEMENTS
FRIDAY, SEPTEMBER 21, 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: Ted Hutchison, Solid Waste Management; Meg Leatherman, Mark Perfect and Chris Ragland, Development Services; Jessica Donald, Department of Administration; Ray Chacko, Nancy Werdel and Ted Argyle, Prosecuting Attorney's Office. Minutes Recorder: Sue Axtman.

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. UNFINISHED BUSINESS:

- Agreements (*Tabled from 9/17/12 Open Business Meeting*)

- a. Agreement No. 9814 - Lease Agreement Between Ada County and Dynamis Energy, LLC
- b. Agreement No. 7046-4-12 - Fourth Amendment to Lease Agreement for Certain Property Located on the Expo Idaho Grounds Between Ada County and the North Ada County Fire Protection for the North Ada County Fire Protection District (Exp 9/30/2072)

ACTION: S. ULLMAN MOVED TO REMOVE AGREEMENT NOS. 9814 AND 7046-4-12 FROM THE TABLE FOR CONSIDERATION. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

R. Yzaguirre read Agreement No. 9814 into the record and opened the discussion.

T. Argyle stated the draft agreement was progressing and has been sent to opposing council. He said there was nothing ready at this time to formally review.

ACTION: S. ULLMAN MOVED TO TABLE AGREEMENT NO. 9814 TO THE SEPTEMBER 25, 2012, OPEN BUSINESS MEETING. D. CASE SECONDED.

DISCUSSION: D. CASE INQUIRED IF THE LEASE OF THE PROPERTY WAS PUT OUT FOR PUBLIC AUCTION PURSUANT TO IDAHO CODE § 31-836, AND IF NOT, WHY THE CODE DIDN'T APPLY TO THIS SITUATION. T. ARGYLE EXPLAINED WHY THE CODE DID NOT APPLY. D. CASE AND T. ARGYLE DISCUSSED THE INDUSTRIAL PARK DESIGNATION AND RELATED CODES.

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

R. Yzaguirre read Agreement No. 7046-4-12 into the record and opened the discussion.

ACTION: S. ULLMAN MOVED TO TABLE AGREEMENT NO. 7046-4-12 TO THE SEPTEMBER 21, 2012, LEGAL STAFF MEETING. D. CASE SECONDED. S. ULLMAN, AYE, D.

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

[Agreement No. 7046-4-12 was approved at the September 21, 2012 Legal Staff Meeting.]

VI: IN THE MATTER OF RECESS:

There being no further business to come before the Board at this time, the meeting was recessed at 9:08 a.m.

Rick Yzaguirre, Chairman

ATTEST:

Christopher D. Rich, Ada County Clerk