

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE MEETING ON AGREEMENT NO. 9814
WEDNESDAY, SEPTEMBER 26, 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: Jessica Donald, Department of Administration; Heather McCarthy, Prosecutor's Office; and Kelly Helland, Bonnie Malmstrom and Toni Hellman, Indigent Services. 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 8:58 a.m.

II. IN THE MATTER OF ROLL CALL:

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

III. UNFINISHED BUSINESS:

1. Agreements

- Agreement No. 9814 - Lease Agreement Between Ada County and Dynamis Energy, LLC (*Tabled from 9/25/12 Open Business Meeting*)

ACTION: S. ULLMAN MOVED TO REMOVE AGREEMENT NO. 9814 FROM THE TABLE FOR CONSIDERATION. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

R. Yzaguirre explained that he received an email from legal Staff that the agreement was not ready.

ACTION: S. ULLMAN MOVED TO TABLE AGREEMENT NO. 9814 TO FRIDAY, SEPTEMBER 28, 2012, AT 9:00 AM. R. YZAGUIRRE SECONDED.

DISCUSSION: R. YZAGUIRRE SUGGESTED TABLING THE AGREEMENT TO THE NEXT OPEN BUSINESS MEETING.

ACTION: S. ULLMAN MOVED TO TABLE AGREEMENT NO. 9814 TO THE OCTOBER 2, 2012, 9:00 A.M. OPEN BUSINESS MEETING. R. YZAGUIRRE SECONDED.

ACTION: D. CASED MADE A SUBSTITUTE MOTION TO COMPLETELY REMOVE AGREEMENT NO. 9814 AND PLACE IT ON AN AGENDA AFTER THE AGREEMENT HAS BEEN FINALIZED.

DISCUSSION: S. ULLMAN STATED THE BOARD HAS BEEN CRITICIZED FOR AGREEMENTS BEING ADDED TO AGENDAS INSIDE 48 HOURS AND EXPLAINED HER POSITION FOR KEEPING THE AGREEMENT ON THE AGENDA AND RE-TABLING IT AS NECESSARY. D. CASE EXPRESSED HIS CONCERNS KEEPING THE AGREEMENT ON AN AGENDA UNTIL IT IS FINALIZED. S. ULLMAN SAID SHE WAS WILLING TO WITHDRAW HER MOTION. R. YZAGUIRRE STATED THAT D. CASE'S SUBSTITUTE MOTION DIED FOR LACK OF SECOND, SO THE ORIGINAL MOTION WAS ON THE TABLE.

ACTION: S. ULLMAN WITHDREW HER ORIGINAL MOTION AND MOVED TO REMOVE AGREEMENT NO. 9814 FROM

CONSIDERATION AT THIS TIME WITH THE UNDERSTANDING THAT WHEN IT IS COMPLETE, THE BOARD WILL GIVE 48 HOURS NOTICE AND IT WILL BE PUT BACK ON AN 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 9:03 a.m.

Rick Yzaguirre, Chairman

ATTEST:

Christopher D. Rich, Ada County Clerk