

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE OPEN BUSINESS MEETING
TUESDAY, OCTOBER 8, 2013
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, Clerk's Office; Bob McQuade, Assessor's Office; Vicky McIntyre, Treasurer's Office; Bob Perkins, Purchasing; Larry Maneely, Commissioners' Office; Kelly Paananen, Risk Management; and Nancy Werdel, Prosecuting Attorney's Office. Minutes Recorder: Judy Morris.

I. IN THE MATTER OF CALL TO ORDER:

Commissioner David L. Case called the meeting of the Ada County Commissioners to order at 9:00 a.m.

II. IN THE MATTER OF ROLL CALL:

Commissioners David L. Case, Jim Tibbs and Rick Yzaguirre were present.

III. CHANGES TO THE AGENDA:

There were no changes to the agenda.

IV. CORRECTION TO THE RECORD

- Open Business Meeting Agenda - 10/1/13

- Agreement No. 10459 was incorrectly identified. Agreement No. 10459 should have been identified as the Agreement Between Ada County, City of Boise and City of Meridian for Maintenance and Support Costs of Consolidated Police Records Management System (FY12-13)

ACTION: J. TIBBS MOVED TO CORRECT THE OCTOBER 1, 2013, OPEN BUSINESS MEETING AGENDA TO PROPERLY IDENTIFY AGREEMENT NO. 10459 AS LISTED ON THE AGENDA. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

V. UNFINISHED BUSINESS:

ACTION: R. YZAGUIRRE MOVED TO REMOVE THE UNFINISHED BUSINESS FROM THE TABLE FOR CONSIDERATION. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, J. TIBBS, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

- Purchasing

- a. Final Rankings and Request to Enter into Fee Negotiations for RFP 13033 Computer Aided Dispatch for Ada County Sheriff's Office (*Tabled from 7/2/13*)

B. Perkins presented the Evaluation Committee's recommendation for award.

ACTION: J. TIBBS MOVED TO TABLE RFP 13033 COMPUTER AIDED DISPATCH FOR ADA COUNTY SHERIFF'S OFFICE TO DECEMBER 13, 2013. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

- b. Award of RFP 13090 Waste Stream Analysis for the Ada County Landfill (*Tabled from 9/23/13*)

B. Perkins presented the Evaluation Committee's recommendation for award. R. Yzaguirre read the recommendation into the record.

ACTION: R. YZAGUIRRE MOVED TO ACCEPT THE RECOMMENDATION OF THE EVALUATION COMMITTEE AND AWARD RFP 13090 WASTE

STREAM ANALYSIS FOR THE ADA COUNTY LANDFILL TO GREEN SOLUTIONS, LLC IN THE AMOUNT OF \$109,191. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, J. TIBBS, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

VI. NEW BUSINESS:

1. Licenses (*Authorize the Chairman to Sign*)
 - a. Ratification - Catering Permit
(*Signed by Commissioner Case on 10/1/13*)
 1. End Zone at Barber Park Event Center for Great Basin Smoke Jumpers Memorial Service, October 4th from 10am to 10pm
 - b. License Transfers (2)
 1. Yard House # 8351, 3693 E. Longwing Ln., Ste. 140, Meridian, Beer/Liquor
 2. Kona Grill, 3573 E. Longwing Ln. Ste. 140, Meridian, Beer/Liquor

C. Rich stated that the required fees were paid and the paperwork was in order and awaiting ratification or signature, as appropriate.

ACTION: J. TIBBS MOVED TO APPROVE AND RATIFY THE ONE CATERING PERMIT SIGNED BY COMMISSIONER CASE ON OCTOBER 1, 2013; APPROVE THE TWO LICENSE TRANSFERS AS LISTED ON THE AGENDA; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

2. Auditor's Office

C. Rich stated that his office is in the process of training poll workers for the upcoming election. He stated they have mailed approximately 1500 ballots to voters. He stated that vendors are currently conducting demonstrations for a new recording system. He said the Auditor's portion of his office is involved with year-end processes.
3. Claims Journal
 - a. October 3, 2013, FY12-13
 - b. October 3, 2013, FY13-14

ACTION: R. YZAGUIRRE MOVED TO AUTHORIZE PAYMENT OF CLAIMS ON THE CLAIMS JOURNALS DATED OCTOBER 3, 2013, FOR THE FISCAL YEARS 2012-2013 AND 2013-2014. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, J. TIBBS, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

4. Personnel Action Forms (4 Changes of Division with Pay Adjustments; 1 Conditional Pay Increase; 4 Leaves with Pay; and 8 Salary Increases)

ACTION: J. TIBBS MOVED TO APPROVE THE PERSONNEL ACTION FORMS AS LISTED ON THE AGENDA INCLUDING 4 CHANGES OF DIVISION WITH PAY ADJUSTMENTS; 1 CONDITIONAL PAY INCREASE; 4 LEAVES WITH PAY; AND 8 SALARY INCREASES; AND THAT THE SUMMARY SHEET REMAIN ON FILE IN THE COMMISSIONERS' OFFICE. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

5. Treasurer's Office
 - Monthly Financial Report, September 30, 2013

V. McIntyre stated that her office is working with the Auditor's office on year-end processes.

6. Assessor's Office - No Report

7. Solid Waste Management
 - Landfill Fee Waiver Request, Barbara Aleman

The Board discussed the landfill request and requested the item be tabled so they could obtain additional information from Dave Logan.

ACTION: R. YZAGUIRRE MOVED TO TABLE THE LANDFILL FEE WAIVER REQUEST FOR BARBARA ALEMAN TO OCTOBER 15, 2013. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, J. TIBBS, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

8. Tax Cancellations (*Authorize the Chairman to Sign*)
- a. 2012 Property Roll (1)
 - Flynn Brett L R5672291300
 - b. 2013 Property Roll (5)
 1. Flynn Brett L R5672291300
 2. Ada County Highway District R0406000011
 3. Ada County Highway District R0406000021
 4. Ada County Highway District R0406000043
 5. Howarth Charles H S0410314800
 - c. Casualty Loss
 - Larosa Jana R1779500410

ACTION: J. TIBBS MOVED TO APPROVE THE TAX CANCELLATIONS AS LISTED ON THE AGENDA WHICH INCLUDES ONE TAX CANCELLATION FOR 2012, 5 TAX CANCELLATIONS FOR 2013, AND ONE CASUALTY LOSS; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

9. Chief of Staff
 L. Maneely advised the Board that Development Services was working on their presentation regarding National Community Planning Month. He also stated he was working on the preparation for the Eagle Sports Complex Discussion.

10. Grants (*Authorize the Chairman to Sign the Appropriate Documents*)
 - Grant No. 1309-A - Idaho Bureau of Homeland Security 2013 Emergency Management Performance Sub-Grant (EMPG) Application (\$235,149.65; 50% Match) (ACCEM); Certification Regarding Matters Dealt with in the Federal Regulations; and Standard Assurances

ACTION: R. YZAGUIRRE MOVED TO APPROVE GRANT NO. 1309-A; AND AUTHORIZE THE CHAIRMAN TO SIGN THE APPROPRIATE DOCUMENTS ON BEHALF OF THE BOARD. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, J. TIBBS, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

14. Weed and Pest (*Authorize the Chairman to Sign*)
- a. Notices of Lien (3)
 1. Ybarrondo Heather A R0790150200 \$50.05

2. Hallman Teresa A	S0401234150	\$487.75
3. Beck Sammy J	R2860500044	\$50.00

b. Releases of Lien (7)

1. McGlochlin Roberta R Trustee	113103112	9/10/13
2. Altieri Jan	113086309	7/30/13
3. Altieri Jan	113079331	7/16/13
4. Smith Lenore	113079332	7/16/13
5. Whelan Amelia R	113079336	7/16/13
6. Trident Property Investments Inc	112085607	8/23/12
7. Cram Michael W	112051745	5/31/12

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

15. Expo Idaho (*Authorize the Chairman to Sign*)- Interim Events (2)

1. Driving Dynamics, Driving School, October 7, 2013
2. Western Heating and Air, Company Party, December 12, 2013

ACTION: R. YZAGUIRRE MOVED TO APPROVE THE TWO INTERIM EVENT AGREEMENTS AS LISTED ON THE AGENDA FOR EXPO IDAHO; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, J. TIBBS, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

16. Parks and Waterways (*Authorize the Chairman to Sign*)- Barber Park Education and Event Center (2)a. Ratification

(*Signed by Commissioner Case on October 2, 2013*)

- Michelle Chung, Mark Urban Memorial, October 4, 2013

b. New

- Coreen Becia, Becia / Van Ausdell Wedding & Reception, July 3, 2014

ACTION: J. TIBBS MOVED TO APPROVE AND RATIFY THE ONE BARBER PARK EDUCATION AND EVENT CENTER AGREEMENT SIGNED BY COMMISSIONER CASE ON OCTOBER 2, 2013; APPROVE THE NEW AGREEMENT AS LISTED ON THE AGENDA FOR PARKS AND WATERWAYS; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

17. Agreements (37) (*Authorize the Chairman to Sign the Appropriate Documents*)

- a. Agreement No. 10463 - Remote Access Agreement Between Ada County and Stewart Title Company for Access to Certain County Computerized Records (FY13-14)
- b. Agreement No. 10464 - Remote Access Agreement Between Ada County and First American Title and Escrow Company for Access to Certain County Computerized Records (FY13-14)
- c. Agreement No. 10465 - Remote Access Agreement Between Ada County and New York Irrigation District for Access to Certain County Computerized Records (FY13-14)
- d. Agreement No. 10466 - Remote Access Agreement Between Ada County and the Air Quality Board for Access to Certain County Computerized Records (FY13-14)

- e. Agreement No. 10467 - Remote Access Agreement Between Ada County and Haxton & Company for Access to Certain County Computerized Records (FY13-14)
- f. Agreement No. 10468 - Remote Access Agreement Between Ada County and Alliance Title and Escrow for Access to Certain County Computerized Records (FY13-14)
- g. Agreement No. 10469 - Agreement Between Ada County and Xerox Corporation for Xerox Workcentre WC7775P for Use at Development Services (FY13-14)
- h. Agreement No. 10470 - Personal Service Agreement Between Ada County and Saint Alphonsus Regional Medical Center Inc. for Occupational Health Services (FY13-14)
- i. Agreement No. 10471 - Agreement Between Ada County and CH2M Hill for Landfill Operations Engineering Support Services (FY13-14)
- j. Agreement No. 10472 - Agreement Between Ada County and CH2M Hill for Landfill Compliance Consulting Services (FY13-14)
- k. Agreement No. 10473 - Cooperative Agreement Between Ada County and Ada County Highway District (ACHD) Regarding ACHD Unloading Waste at the Landfill (FY13-14)
- l. Agreement No. 10475 - Agreement Between Ada County and Ellen Dutcher, FNP for Provision of Psychiatric Services for Juvenile Court Services (FY13-14)
- m. Agreement No. 10476 - Agreement Between Ada County and Mark Grajcar, O.D. for Provision of Juvenile Detention Medical Services (FY13-14)
- n. Agreement No. 10477 - Agreement Between Ada County and Washington County for Pathology Services (Coroner) (FY13-14)
- o. Agreement No. 10478 - Agreement Between Ada County and Owyhee County for Pathology Services (Coroner) (FY13-14)
- p. Agreement No. 10479 - Rider and Licensing Agreement Between Ada County and MyStateUSA for Reverse 911 Charges (Sheriff) (FY13-14)
- q. Agreement No. 10480 - Agreement Between Ada County and Idaho Transportation Department for General and Noxious Weed Control (Exp. 6/30/14)
- r. Agreement No. 10481 - Agreement Between Ada County and Idaho Transportation Department for Pest Control (Exp. 6/30/14)
- s. Agreement No. 10482 - Joint Powers Agreement Between Ada County and the City of Kuna Relating to Law Enforcement Services (Sheriff) (FY13-14)
- t. Agreement No. 10483 - Agreement Between Ada County and State of Idaho Department of Health and Welfare for Service of Process for Child Support Enforcement (Sheriff) (FY13-14)
- u. Agreement No. 10484 - Memorandum of Agreement Between Ada County and Malheur County, State of Oregon, for Temporary Housing of Juveniles at Ada County Juvenile Detention Center (FY13-14)
- v. Agreement No. 10485 - Agreement Between Ada County and Lemhi County for Limited Pathology Services (Coroner) (FY13-14)
- w. Agreement No. 8387-4-13 - Renewal and Amendment Agreement Between Ada County and Technology Unlimited for Maintenance and License of Automatic Payment Processing System (Treasurer) (FY13-14)
- x. Agreement No. 8883-4-13 - Renewal Agreement Between Ada County and GTech Industries, LLC dba Intermountain Dictation for Dictation Software and Hardware Support (Coroner) (FY13-14)
- y. Agreement No. 8967-4-13 - Amendment and Renewal Agreement Between Ada County and SymPro, Inc. for Maintenance and Support of the Treasury Management Software (FY13-14)
- z. Agreement No. 9280-1-13 - Renewal Agreement Between Ada County and Technology Unlimited for Maintenance of Automatic Payment Processing System (Assessor) (FY13-14)
- aa. Agreement No. 9403-2-13 - Renewal Agreement Between Ada County and Election Service and Software, Inc. for Hardware and Software Maintenance and Support Services on Voter Tabulation Equipment and Software (FY13-14)
- bb. Agreement No. 9540-2-13 - Renewal Agreement Between Ada County and Promantek, Inc. for H.R. TrackStar Software Licenses (Sheriff) (FY13-14)
- cc. Agreement No. 9550-2-13 - Renewal Agreement Between Ada County and Redwood Toxicology Laboratory for Bioanalysis Services for Juvenile Court Services (FY13-14)
- dd. Agreement No. 9594-3-13 - Renewal Agreement Between Ada County and OPEX for Maintenance on the Rapid Mail Extraction Model 72 (FY13-14)

- ee. Agreement No. 9835-1-13 - Renewal Agreement Between Ada County and BI Incorporated for Exacutrack Services (Sheriff) (FY13-14)
- ff. Agreement No. 9836-1-13 - Renewal Agreement Between Ada County and BI Incorporated for Monitoring Services (Sheriff) (FY13-14)
- gg. Agreement No. 9891-1-13 - Renewal Agreement Between Ada County and Ingeo Systems, Inc. dba CSC/Ingeo for the Receiving and Transmitting of Documents for Recording Transactions (C/A/R) (FY13-14)
- hh. Agreement No. 9927-1-13 - Renewal Agreement Between Ada County and Bonneville Blueprint & Supply for Maintenance of KIP 700 (Dev Svcs) (FY13-14)
- ii. Agreement No. 9928-1-13 - Renewal Lease Agreement Between Ada County and Bonneville Blueprint & Supply for Maintenance of KIP 700 (Dev Svcs) (FY13-14)
- jj. Agreement No. 9981-2-13 - Renewal Agreement Between Ada County and Rechargeable Battery Recycling Corporation (RBRC) dba Call2Recycle for the Green Vantage Program for Recycling of Chargeable Batteries and Cell Phones (FY13-14)
- kk. Agreement No. 10145-1-13 - Agreement Between Ada County and 24/7 Pro Solutions Staffing for Temporary and Supplemental Staffing (Sheriff) Office (FY13-14)

D. Case requested that Agreement Nos. 9835-1-13 and 9836-1-13 be removed for discussion. He then read the agreement numbers into the record.

ACTION: R. YZAGUIRRE MOVED TO APPROVE THE AGREEMENTS AS LISTED ON THE AGENDA, EXCLUDING AGREEMENT NOS. 9835-1-13 AND 9836-1-13; AND AUTHORIZE THE CHAIRMAN TO SIGN THE APPROPRIATE DOCUMENTS ON BEHALF OF THE BOARD. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, J. TIBBS, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

D. Case explained that Agreement Nos. 9835-1-13 and 9836-1-13 were for electronic monitoring devices for Pre-Trial. He stated that Dana Borgquist advised him that a meeting was being held this week to discuss where the program is going. He suggested tabling the agreements to the following Open Business Meeting to await the outcome of the meeting between Sheriff's Staff and the Judges. The Board agreed with D. Case's reasoning.

ACTION: R. YZAGUIRRE MOVED TO TABLE AGREEMENT NOS. 9835-1-13 AND 9836-13 TO OCTOBER 13, 2013, AT 9:00 A.M. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, J. TIBBS, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

18. Miscellaneous (*Authorize the Chairman to Sign the Appropriate Documents*)
- Optum Medicaid Qualified Provider Application and Disclosure Statement (Trial Court Administrator)

ACTION: J. TIBBS MOVED TO APPROVE THE OPTUM MEDICAID QUALIFIED PROVIDER APPLICATION AND DISCLOSURE STATEMENT; AND AUTHORIZE THE CHAIRMAN TO SIGN THE APPROPRIATE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

Public Hearing

19. Resolutions (2)
- a. Resolution No. 1935 - Resolution Adjusting the Ada County Budget to Reflect the Receipt of Unscheduled Revenue to the Ada County Juvenile Court Services Budget.

D. Case opened the public hearing and read Resolution No. 1935 into the record.

[There was no public testimony.]

D. Case closed the public hearing.

ACTION: R. YZAGUIRRE MOVED TO APPROVE RESOLUTION NO. 1935 AS LISTED ON THE AGENDA. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, J. TIBBS, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

b. Resolution No. 1936 - Resolution for the Destruction of Ada County Assessor Land Records

D. Case opened the public hearing and read Resolution No. 1936 into the record and opened the public hearing.

[There was no public testimony.]

D. Case closed the public hearing.

ACTION: J. TIBBS MOVED TO APPROVE RESOLUTION NO. 1936 AS LISTED ON THE AGENDA. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

20. Licenses

- Hilltop Station LLC for Beer/Wine License for On-Premise Consumption

D. Case opened the public hearing.

N. Werdel explained the license application and summarized the public hearing process.

Applicant, Eric McCullough, stated his name and address for the record. He reiterated that the matter was before the Board to determine that there is good cause to grant Hilltop Station LLC their on-premise consumption. He explained their desire to serve beer and wine in their restaurant and stated he believes that is a critical part of opening the restaurant. He said he has gathered a total of 700 signatures on a petition supporting their request for an on-premise consumption license.

Terri Pickens, representing Hilltop Station, LLC, stated her name and address for the record. She presented testimony addressing the good cause element, and explained their attempts to resolve Jerry Whitehead's arguments. She explained their concern for public safety was unrealistic as no statistical evidence was presented supporting that has been or will be an issue. She said the other concern was noise. She stated that the restaurant is and will continue to be in compliance with the existing ordinances regarding hours of operation and noise.

J. Whitehead stated his name and address for the record and read a statement into the record stating his concerns with Hilltop Station LLC serving beer and wine in their restaurant. He explained his concerns related to late night drinking and the noise that tends to accompany that. He requested that the Board consider imposing additional conditions on the license to include that it comply with the County noise ordinance, and that on-premise alcohol sales be discontinued no later than 10:00 p.m.

Tate McCullough, Manager of Hilltop Station, LLC, stated his name and address for the record. He presented testimony stating it was not their intention to encourage irresponsible drinking, but to allow individuals to have beer or wine with their meals.

T. Pickens addressed the two conditions requested by J. Whitehead. She stated the noise ordinance was law, and therefore did not need to be restated in the condition. She said there is not good cause showing why the sale of alcohol should cease after 10:00 p.m.

J. Tibbs stated that the city of Boise requires server training for those serving alcohol and inquired if the County had the same requirement. T. McCullough stated he is certified. E. McCullough advised the Board that his servers would be certified.

D. Case closed the public hearing.

R. Yzaguirre stated that, based on the testimony presented, he'd like to table the decision a week to allow the Board to discuss the issue with N. Werdel and consider the testimony presented.

ACTION: R. YZAGUIRRE MOVED TO TABLE THE BEER/WINE LICENSE FOR ON-PREMISE CONSUMPTION FOR HILLTOP STATION LLC TO OCTOBER 15, 2013. J. TIBBS SECONDED.

DISCUSSION: J. TIBBS REITERATED THAT THE BOARD WOULD LIKE TO REVIEW TESTIMONY PRESENTED BEFORE MAKING A FINAL DECISION.

ACTION: R. YZAGUIRRE, AYE, J. TIBBS, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

VII: IN THE MATTER OF RECESS:

There being no further business to come before the Board at this time, the meeting was recessed at 9:50 a.m.

David L. Case, Chairman

ATTEST:

Christopher D. Rich, Ada County Clerk