

**BOARD OF ADA COUNTY COMMISSIONERS  
MINUTES OF THE OPEN BUSINESS MEETING  
TUESDAY, JANUARY 21, 2014  
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; Lyn Call, Treasurer's Office; Bob McQuade, Assessor's Office; Larry Maneely, Commissioners' Office; Jana Gomez Prosecuting Attorney's Office; Richard Beck and Meg Leatherman, Development Services; and Jessica Donald, Department of Administration. Minutes Recorder: Julie F. Burrows.

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**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 Jim Tibbs and Rick Yzaguirre were present.

**III. CHANGES TO THE AGENDA:**

There were no changes to the agenda.

**IV. NEW BUSINESS:**

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

- New Licenses
- Sushi III, 3640 S. Findley Ave., Boise, Beer/Wine

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 THE ONE LICENSE AS LISTED ON THE AGENDA; AND AUTHORIZE THE ACTING CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.**

2. Auditor's Office

C. Rich stated that there is new legislation that will change Ada County's record retention policy to mirror that of the City of Boise, in regards to paper versus electronic records.

3. Claims Journal

- January 16, 2014

**ACTION: J. TIBBS MOVED TO AUTHORIZE PAYMENT OF CLAIMS ON THE CLAIMS JOURNAL DATED JANUARY, 2014. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.**

4. Personnel Action Forms (10 Leaves with Pay; 1 Miscellaneous; 2 POST Certification Increases; 2 Salary Increases; and 2 Step Increases/Sheriff's Pay Plan)

**ACTION: J. TIBBS MOVED TO APPROVE THE PERSONNEL ACTION FORMS AS LISTED ON THE AGENDA INCLUDING 10 LEAVES WITH PAY; 1 MISCELLANEOUS; 2 POST CERTIFICATION INCREASES; 2 SALARY INCREASES; AND 2 STEP INCREASES/SHERIFF'S PAY PLAN; AND THAT THE SUMMARY SHEET REMAIN ON FILE IN THE COMMISSIONERS' OFFICE. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.**

5. Treasurer's Office  
L. Call stated that her office has completed the subroll billing and is working on delinquency collections for the property roll, on approximately 6,000 properties.
6. Assessor's Office – No Report.
7. Tax Cancellations (9) (7-2013; 1-2012; and 1-2011) (*Authorize the Acting Chairman to Sign*)
- a. 2013 Property Roll (5)
- |                                   |             |
|-----------------------------------|-------------|
| 1. Hirschfeld Jerome A & Cecile K | R5983870120 |
| 2. Crossland Julia                | R3616580385 |
| 3. Child Eric R                   | S2205244200 |
| 4. City of Star                   | S0417323485 |
| 5. Dison Christopher              | R7851200290 |
- b. 2013 Sub-Roll (2)
- |                             |             |
|-----------------------------|-------------|
| 1. Clarke Evan M            | R7686321170 |
| 2. Lemontre Revocable Trust | R2023720660 |
- c. 2012 Property Roll
- |              |             |
|--------------|-------------|
| - Child Eric | S2205244200 |
|--------------|-------------|
- d. 2011 Property Roll
- |              |             |
|--------------|-------------|
| - Child Eric | S2205244200 |
|--------------|-------------|

**ACTION: J. TIBBS MOVED TO APPROVE THE TAX CANCELLATIONS AS LISTED ON THE AGENDA WHICH INCLUDES SEVEN TAX CANCELLATIONS FOR 2013, ONE TAX CANCELLATION FOR 2012, AND ONE TAX CANCELLATION FOR 2011; AND AUTHORIZE THE ACTING CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.**

8. Chief of Staff  
L. Maneely stated that he is closely watching the legislature for matters that impact the County. He also thanked Jessica Donald and Richard Beck for their work on the Sesquicentennial calendars and posters.
9. Approval of Minutes (8) (*Authorize the Acting Chairman to Sign*)
- Open Business Meeting, December 30, 2013
  - Open Business Meeting, January 7, 2014
  - General Session of the Indigent Hearing, January 8, 2014
  - Executive Session of the Indigent Hearing, January 8, 2014
  - Open Business Meeting, January 14, 2014
  - LID Open Business Meeting, January 14, 2014
  - General Session of the Indigent Hearing, January 15, 2014
  - Executive Session of the Indigent Hearing, January 15, 2014

**ACTION: J. TIBBS MOVED TO APPROVE THE EIGHT SETS OF MINUTES AS LISTED ON THE AGENDA; AND AUTHORIZE THE ACTING CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.**

10. Weed and Pest (*Authorize the Acting Chairman to Sign*)
- a. Notices of Lien
- |                    |             |         |
|--------------------|-------------|---------|
| - Horton Barbara A | R4207010035 | \$95.25 |
|--------------------|-------------|---------|
- b. Releases of Lien (3)
- |                             |           |            |
|-----------------------------|-----------|------------|
| 1. Parkland Development LLC | 114001855 | 01/08/2014 |
| 2. Schile Mary E            | 113136623 | 12/24/2013 |
| 3. Olson Tamarra Jo         | 113133869 | 12/16/2013 |

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

11. Expo Idaho (*Authorize the Acting Chairman to Sign*)

- Interim Events (3)
  1. Capital High School, Prom, April 19, 2014
  2. Color Me Rad, Color Run, May 3, 2014
  3. Friday Night Flag Football, Spring Football League 2014: April 4, 11, 18, 25; May 2, 9, 16

**ACTION: J. TIBBS MOVED TO APPROVE THE THREE INTERIM EVENT AGREEMENT AS LISTED ON THE AGENDA FOR EXPO IDAHO; AND AUTHORIZE THE ACTING CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, R. YZAGUIRRE, AYE. THE MOTION CARRIED.**

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

- Barber Park Education and Event Center (4)
  1. Frank Greene, Greene Wedding & Reception, July 26, 2014
  2. Autumn Beto, Beto/Street Wedding & Reception, September 20, 2014
  3. Nicole McKay, McKay Graduation Party, June 1, 2014
  4. Ronda Delawyer, Delawyer/Waters Wedding & Reception, October 4, 2014

**ACTION: J. TIBBS MOVED TO APPROVE THE FOUR BARBER PARK EDUCATION AND EVENT CENTER AGREEMENTS AS LISTED ON THE AGENDA FOR PARKS AND WATERWAYS; AND AUTHORIZE THE ACTING CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.**

13. Agreements (5) (All Agreements FY13-14 Unless Otherwise Noted) (*Authorize the Acting Chairman to Sign the Appropriate Documents*)

- a. Agreement No. 10590 - Agreement Between Ada County and Rebecca A. Kulaga for Grant Administrator Professional Services
- b. Agreement No. 10591 - Subgrant Agreement Between Ada County and Idaho Mountain Search and Rescue Unit for Use of 2011 and 2012 Homeland Security Grant Funds
- c. Agreement No. 10592 - Agreement Between Ada County, City of Boise, and City of Meridian for a Consolidated Records Management System (RMS)
- d. Agreement No. 8705-2-14 - Amendment to Agreement Between Ada County And Allied Waste For Solid Waste Services Collection Contract
- e. Agreement No. 9143-4-14 - Renewal of Agreement Between Ada County and SuperValu, Inc., to Furnish Professional Pharmacy Services for Indigent Services

R. Yzaguirre read Agreement Nos. 10590, 10591, 10592, and 9143-4-14 into the record.

**ACTION: J. TIBBS MOVED TO APPROVE THE FOUR AGREEMENTS READ INTO THE RECORD BY COMMISSIONER YZAGUIRRE; AND AUTHORIZE THE ACTING CHAIRMAN TO SIGN THE APPROPRIATE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.**

R. Yzaguirre read Agreement No. 8705-2-14 into the record.

L. Call presented a letter to the Board, written by Vicky McIntyre. She read the letter into the record.

R. Yzaguirre stated that the Board has had a number of conversations with Legal Staff regarding this agreement.

J. Gomez affirmed that Legal Staff has reviewed this agreement.

**ACTION: J. TIBBS MOVED TO APPROVE AGREEMENT NO. 8705-2-14; AND AUTHORIZE THE ACTING CHAIRMAN TO SIGN THE APPROPRIATE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED.**

**DISCUSSION: R. YZAGUIRRE STATED THAT HIS INTENT IS TO MOVE FORWARD AND THAT HE FOUND IT INTERESTING THAT THE TREASURER MENTIONED MOVING THE BILLING TO ANOTHER DEPARTMENT, AS THAT CONVERSATION HAS BEEN HAD AMONG THE BOARD MEMBERS. J. TIBBS STATED THAT MOVING BILLING SERVICES WILL CREATE A PERSONNEL ISSUE AND THAT, IF THE BILLING SERVICES ARE MOVED TO ANOTHER DEPARTMENT, THAT THE PERSONNEL RESPONSIBLE FOR SUCH TASK SHOULD BE TRANSFERRED TO THAT DEPARTMENT.**

**J. TIBBS, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.**

#### 14. Miscellaneous

- Discussion of Draft Purchase and Sale Agreement for a Portion of the Ada-Eagle Sports Complex

J. Gomez stated that the topic of discussion is if the County would like to put any type of deed restriction on the portion of the complex being sold to Eagle. She stated that a public hearing will be held on January 28, 2014, in order to discuss the purchase of the BMX portion of the complex. She also stated that the survey was in process for an easement for the southern entrance to the BMX area in the event that Eagle does not purchase that area. Additionally, she said that another survey is being conducted for a possible easement from the northern entrance of the park up through the road that leads to the water tank, to the property line, for access for maintenance vehicles. She stated that she requested from Susie Mimura other possibilities for access instead of easements, but, as of this morning, as not received anything. She explained the options for deed restrictions in regards to language for the definition of the use of the land; she stated that the term "public park" was more advantageous than the term "for recreational purchase". She stated that there is a need to define whether or not the deed allows Eagle to charge for services.

R. Yzaguirre stated that deed restrictions are needed and that the length should be indefinite. J. Tibbs echoed Commissioner Yzaguirre's statement and stated that the use of the land needs to be for public use only.

J. Gomez asked the Board what consequences the Board would want to see if Eagle decided to breach the deed, with the options of the land going back to the County, staying with Eagle as a breach, or being donated to a 501(c)(3).

The Board asked for future clarification of how the land could be donated, and to whom.

J. Gomez stated she would draft the purchase and sale agreement and send it to the Board for review after the 28<sup>th</sup> of January and asked for a motion to direct Staff.

**ACTION: J. TIBBS MOVED TO DIRECT STAFF TO PREPARE A DOCUMENT THAT INCLUDES THE DEED**

**RESTRICTIONS, INCLUDING THE INDEFINITE LENGTH OF THE RESTRICTIONS, AND THE NEED TO KEEP THE LAND MAINTAINED AS A PUBLIC PARK. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.**

**Public Hearing**

19. Resolutions (3)

- a. Resolution No. 1953 - Resolution Adjusting the Ada County Budget to Reflect the Receipt of Unscheduled Revenue to the Development Services Budget
- b. Resolution No. 1954 - Resolution Adjusting the Ada County Budget to Reflect the Receipt of Unscheduled Revenue to the Coroner’s Budget
- c. Resolution No. 1955 – Resolution Appointing Board Members and Alternates to the Valley Regional Transit Board.

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

*[There was no public testimony.]*

R. Yzaguirre closed the public hearing.

**ACTION: J. TIBBS MOVED TO APPROVE THE THREE RESOLUTIONS AS LISTED ON THE AGENDA. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.**

**VII: IN THE MATTER OF RECESS:**

There being no further business to come before the Board at this time, the meeting was recessed at 9:33 a.m.

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

ATTEST:

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