

FIRST DAY OF NOVEMBER TERM, A.D., 2012
CALDWELL, IDAHO NOVEMBER 13, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
 Commissioner Steve Rule
 Commissioner Kathy Alder
 Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED PERSONNEL FORM

The Board signed the following personnel form for: Angella Stokke.

APPROVED CLAIMS ORDER #11-16-12

The Board of Commissioners approved payment of County claims in the amount of \$7,093.40, \$917.31 for accounts payables.

SIGNED MEDICAL INDIGENCY DOCUMENTS

The Board signed the following medical indigency documents: 2012-050722, 2012-050721, 2012-050723, 2012-050724, 2012-050725, 2012-050726, 2012-050727, 2012-050720.

FILED SHERIFF'S UNCOLLECTIBLE DELINQUENT PERSONAL PROPERTY TAXES FOR 2011

The Board filed the Sheriff's Uncollectible Delinquent Personal Property Taxes for 2011.

EXECUTIVE SESSION - LITIGATION AND RECORDS EXEMPT FROM DISCLOSURE

The Board met today at 8:30 a.m. for an Executive Session pursuant Idaho Code, Section 67-2345(1) (d) and (f). Commissioner Alder made a motion to go into Executive Session at 8:31 a.m. The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Alder, Rule and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Attorney Steve Bywater, Lt. Charlie Spencer, Prosecutor Bryan Taylor, and Deputy Clerk Monica Reeves. Latah County Prosecutor Bill Thompson joined the session via conference call at 8:32 a.m. The conference call concluded at 8:53 a.m. Mr. Bywater and Lt. Spencer left at 8:53 a.m. The Executive Session concluded at 8:55 a.m. with no decision being called for in open session.

LEGAL STAFF UPDATE

The Board met today at 9:02 a.m. for a legal staff update. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Deputy P.A. Brad Goodsell, and Deputy Clerk Monica Reeves. Topics of discussion included Administrative District Judge Ryan's request for an MOU for employees who are under the courts; also discussed was the need to review the county's policy which allows employees to convert their sick leave hours to vacation hours. The Board wants to know what the financial liability this policy creates for the county. The meeting concluded at 9:08 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ANIMAL SHELTER DIRECTOR TO DISCUSS FENCING PURCHASE

The Board met today at 10:02 a.m. for a meeting with the Animal Shelter Director to discuss fencing options. Present were: Commissioners David Ferdinand and Kathy Alder, Shelter Director Barbara Hutchinson, and Deputy Clerk Monica Reeves. Ms. Hutchinson said the shelter has received a donation and they want use the funds to install extra fencing in the back for play yards. They want to

construct an eight foot fence and they need a building permit for anything over six feet. Board approval is required because the improvement will take place on county property. Upon the motion of Commissioner Alder and the second by Commissioner Ferdinand, the Board voted unanimously to allow Ms. Hutchinson to proceed with her plans to construct a fence on the property, contingent upon legal advice being favorable. Commissioner Ferdinand said if for any reason Ms. Hutchinson leaves the property the fence has to stay because it becomes part of the facility. Ms. Hutchinson assumed that would be the case. She would like to do some interior painting inside the shelter and asked if the Board has any problem with that. The Board suggested she contact Facilities Manager Paul Navarro to see if he can assist with labor needs. The meeting concluded at 10:13 a.m. An audio recording is on file in the Commissioners' Office.

DISCUSSION REGARDING THE PROPOSED NUISANCE ORDINANCE

The Board met today at 1:31 p.m. for a meeting to discuss a proposed nuisance ordinance. Present were: Commissioners David Ferdinand and Kathy Alder, Commissioners David Ferdinand and Kathy Alder, Development Services Director Kevin LoPiccolo, P.A. Brian Taylor, Dan Blocksom, Deputy P.A., Chief Deputy Sheriff, Marv Dashiell, Sheriff-Elect Kieran Donohue and Deputy Clerk Claudia Amaral. Dan Blocksom spoke about wrecked cars on people's property and what a problem it is. Mr. Blocksom said CCSO would provide assistance. Commissioner Ferdinand said this used to be handled in the Sheriff's Office. Bryan Taylor said people are given a warning and then a ticket. Kieran Donahue said he likes the idea of an arrest after the third infraction. Kevin LoPiccolo asked that the ordinance be revised. He said when he adds up a timeline on a situation, it can be a year out on an infraction. Mr. Blocksom said a new ordinance would specify the number of days the person has to correct their problem. Mr. LoPiccolo said he will work on revisions of the draft and get back to the Board for review. Bryan Taylor said when people are served an infraction; they have to show up before a judge. If they don't show up; they can be arrested. The meeting concluded at 1:58 p.m. An audio recording is on file in the Commissioners Office.

MONTHLY MEETING WITH THE TRIAL COURT ADMINISTRATOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 2:03 p.m. for a monthly meeting with the Trial Court Administrator to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand and Kathy Alder, Trial Court Administrator Dan Kessler, and Deputy Clerk Claudia Amaral. Topics of discussion included district video court arraignment, remodeling, new positions, and keeping juvenile courts separate. The items discussed were general in nature and did not require Board action. The meeting concluded at 2:15 p.m. An audio recording is on file in the Commissioners Office.

CONSIDER SIGNING RESOLUTION TO APPROVE ONE TITLE CHANGE FOR INDIGENT SERVICES

As scheduled, the Board met today to consider signing a resolution to approve one title change for Indigent Services. Present were: Commissioners David Ferdinand and Kathy Alder, Indigent Director Michele Sherrer, Human Resources Director Jeannine Eiband and Deputy Clerk Claudia Amaral. Ms. Scherer said Jacki Germain, who has been with the county for a number of years, will be retiring at the end of the month. The proposal is to not fill the assistant director position but to create a case worker position so that we are able to get caught up. That individual will be processing files and conducting interviews. This will help bring us further into compliance with the Idaho Code. The title change from Welfare to Indigent is the other adjustment. Ms. Eiband asked when the office was changed from Welfare to Indigent and if the change was done by a resolution. Ms. Sherrer said there isn't any record of a change from Welfare to Indigent. Commissioner Alder asked that Ms. Eiband get a resolution ready for title changes in the Indigent Office. Upon the motion of Commissioner Alder and the second by Commissioner Ferdinand, the Board voted unanimously to approve one title and PCN change in the Indigent Services Department from one Assistant Welfare Director to one Indigent Interview Specialist. The meeting concluded at 2:32 p.m. An audio recording is on file in the Commissioners Office. (#12-228)

MONTHLY MEETING WITH THE HUMAN RECOURCES DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 2:38 p.m. for a monthly meeting with the Human Resources Director to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand and Kathy Alder, Human Resources Director Jeannine Eiband and Deputy Clerk Claudia Amaral. Topics of discussion included liability of transferring sick leave to vacation time. Ms. Eiband will speak to the Controller about this. The items discussed were general in nature and did not require Board action. The meeting concluded at 2:47 p.m. An audio recording of the meeting is on file in the Commissioners Office.

MONTHLY MEETING WITH THE PUBLIC DEFENDER TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 3:00 p.m. for a monthly meeting with the Public Defender to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand and Kathy Alder, Public Defender Mark Mimura and Deputy Clerk Claudia Amaral. Mr. Mimura presented a revised A budget (salaries). Other topics included mental health courts and drug courts. The items discussed were general in nature and did not require Board action. The meeting concluded at 3:18 p.m. An audio recording of the meeting is on file in the Commissioners Office.

SECOND DAY OF NOVEMBER TERM, A.D., 2012
CALDWELL, IDAHO NOVEMBER 14, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
 Commissioner Steve Rule
 Commissioner Kathy Alder
 Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED PERSONNEL FORMS

The Board signed the following personnel forms for: MaryAnn Martinez, Jazmin Equia, Christine McPartlan.

APPROVED PURCHASE ORDERS

The Board approved the following purchase order for: Facilities \$6,468.00, \$1,475.00.

SIGNED MEDICAL INDIGENCY DOCUMENTS

The Board signed the following medical indigency documents: 2012-051109, 2012-051104, 2012-051107, 2012-051110, 2012-051111, 2012-051106, 2012-051108, 2012-051105, 2012-051103.

EXECUTIVE SESSION - LITIGATION MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 9:19 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a litigation matter and records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Alder made a motion to go into Executive Session at 9:20 a.m. pursuant to Idaho Code, Section 67-2345(1) (d) and (f). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Alder, and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule and Kathy Alder, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:36 a.m. with no decision being called for in open session.

CONSIDER SIGNING NOVEMBER 14, 2012 AGENDA ITEMS

The Board met today at 9:37 a.m. to consider signing the November 14, 2012 agenda items. Present were: Commissioners Steve Rule and Kathy Alder, Deputy P.A. Zach Wesley, Chief Deputy Marv Dashiell, Chief Probation Officer Elda Catalano, Juvenile Detention Director Steve Jett, and Deputy Clerk Monica Reeves. The items were considered as follows:

- *Agreement with Wanda Newton for Provision of Education Groups for Parents of Sexual Offenders* - Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the agreement with Wanda Newton. (#12-138)
- *Agreement with Rita Fell for Individual and Family Counsel for Juvenile Offenders and Their Families* - Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the agreement with Rita Fell. (#12-139)
- *City County Narcotics Unit Equitable Sharing Agreement and Certification; Annual Certification Report* - Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the CCNU Equitable Sharing Agreement and Certification and Annual Certification Report for Fiscal Year-End 2012. (#12-140)
- *Amendment No. 1 to Karen L. Schumacher and Canyon County Medical Services Contract for FY 2013, No. 12-096* - Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the agreement with Karen Schumacher. (#12-141)
- *FY 2013 Juvenile Detention Housing Agreement with Elmore County* - Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the agreement with Elmore County. (#12-142)

- *FY 2013 Juvenile Detention Housing Agreement with Owyhee County* - Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the agreement with Owyhee County. (#12-143)
- *FISCAL YEAR 2013 Project Coordinator Agreement with April Horak, Substance Use Disorders System* - Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the agreement with April Horak. (#12-145)
- *FISCAL YEAR 2013 Juvenile Detention Housing Agreement with Washington County* - Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the agreement with Washington County. (#12-144)
- *Cooperative Agreement with Valley Regional Transit for Annual Dues and Service Contribution* - Commissioner Alder said the invoice that accompanied the agreement was approximately \$200 more than the county budgeted. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the agreement with Valley Regional Transit for annual dues and service contribution. The annual dues amount is \$32,035. (#12-146)
- *Public Notice inviting comments regarding revisions to Pickles Butte Sanitary Landfill Operation and Maintenance Manual* - Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the notice that informs the public that the manual is available for review in the Commissioners' Office.

The meeting concluded at 9:59 a.m. The signed documents are on file with this day's minute entry. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER SIGNING AN AMENDMENT TO DEVELOPMENT AGREEMENT NO. 10-104 FOR J.A.P.S. OF IDAHO

The Board met today at 1:30 p.m. to conduct a public hearing to consider signing an amendment to Development Agreement No. 10-104 for J.A.P.S. of Idaho, LLC, Case No. CR-PH2012-1002. The official request pertains to a conditional rezone of six parcels totaling approximately 373 acres from an "A" (Agricultural) Zone to an "R-R" (Rural-Residential) Zone. The applicant is requesting to amend three conditions including Conditions 3a., 5b., and 5c as indicated in Exhibit 3. Parcels 37887-022, R37887, R37887-024, R37887-024A, and R37887-024B are located on the north side of Goodson Road approximately ½ mile west of the intersection of Goodson Road and Wagner Road in Caldwell in Section 18, T5N, R3W, Boise Meridian. Parcel R37900-010 is located on the south side of Goodson Road approximately ½ mile west of the intersection of Goodson Road and Wagner Road, Caldwell, in a portion of the NW ¼ of Section 19, T5N, R3W, Canyon County, Boise Meridian. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, DSD Director Kevin LoPiccolo, DSD Planner Deb Root, Todd Lakey, Alan Mills, Jay Gibbons, Mike Conklin, Karen Wilson, and Deputy Clerk Monica Reeves. Commissioner Alder said she was contacted by Teri Ottens who mentioned that she plans to attend today's hearing and offer testimony. Kevin LoPiccolo said on October 10, 2012 he received a letter from Mr. and Mrs. Ottens asking him to recuse himself from the hearing process because of his wife's standing in the City of Middleton. She has been the clerk for the City of Middleton for approximately six months. The letter insinuated that those who Mrs. LoPiccolo works for are owners of J.A.P.S. The Prosecutor's Office prepared a letter stating there is no reason for Director LoPiccolo to recuse himself other than if the Board would feel as though perception would be an issue. He has no financial interest in the agreement or any connection with the developers. Commissioner Rule said he has known Todd Lakey and Alan Mills for quite some time but he has no financial interest or personal interest in the subject property. He will not recuse himself from the hearing process. Commissioner Alder disclosed that she knows Mr. and Mrs. Ottens as well as Mr. Lakey and Mr. Mills. Commissioner Ferdinand said this is a new request coming to the Board and it is appropriate to move forward. Deb Root gave the oral staff report. The following people testified in support of the request: Todd Lakey, Alan Mills, Jay Gibbons, and Mike Conklin. Karen Wilson testified in opposition to the request stating she is not opposed to the project, but is opposed to the size of the lots. Todd Lakey offered rebuttal testimony. Upon the motion

of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to close public testimony. During the Board's deliberation Commissioner Alder said her concern is that the project looks like a moving target because it was created as one item and now it's trying to be something else. Her main concern is the potential for 178 lots as well as another potential 66 homes that could be allowed on the Olsen property. The subject property is several miles from the Notus impact area and is across the interstate from Middleton. Commissioner Alder is opposed to reducing the lot size from 3.4 acres to 1.8 acres because it is too dense for the area. Commissioner Rule said this request fits his philosophy because it preserves the best part of farm ground and places houses on dryer ground. He has no problem with the three conditions as amended. Commissioner Ferdinand reviewed the concerns of Commissioner Alder and agreed with the statement made by Commissioner Rule. In summary, he has no problem with the request noting that there will be further review through the platting process. Following the Board's deliberation, Commissioner Rule made a motion to approve Case No. CR-PH2012-1002, modification of development agreement No. 10-104, Exhibit B - Properties north of Goodson Road conditions 3a, 5b, and 5c as amended. The motion was seconded by Commissioner Ferdinand. The vote carried by split vote with Commissioners Rule and Ferdinand voting in favor of the motion to approve and Commissioner Alder voting in opposition to the motion. DSD staff will make the necessary revisions to reflect the testimony that was given. The Board will consider signing the development agreement on November 21, 2012 at 9:30 a.m. The hearing concluded at 3:09 p.m. An audio recording is on file in the Commissioners' Office.

THIRD DAY OF NOVEMBER TERM, A.D., 2012
CALDWELL, IDAHO NOVEMBER 15, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
 Commissioner Steve Rule
 Commissioner Kathy Alder
 Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED PERSONNEL FORM

The Board signed the following personnel form for: Katie Roberts.

APPROVED CLAIMS ORDER #1303

The Board of Commissioners approved payment of County claims in the amount of \$1,091,986.81 for a county payroll.

GO ON RECORD AND CONTINUE MEDICAL INDIGENCY HEARINGS

The Board met today at 8:23 a.m. to go on the record and continue medical indigency hearings. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to continue the hearings by signed stipulation as follows:

- Case Nos. 2012-1330 & 2012-1240 were continued to January 10, 2013 at 8:30 a.m.
- Case No. 2012-1221 was continued to January 24, 2013 at 8:30 a.m.
- Case Nos. 2012-1334 & 2012-452 were continued to February 7, 2013 at 8:30 a.m.
- Case No. 2012-1387 was continued to February 21, 2013 at 8:30 a.m.

The proceeding concluded at 8:23 a.m. An audio recording is on file in the Commissioners' Office.

HOLD MEDICAL INDIGENCY CASES IN SUSPENSION

The Board met today at 8:26 a.m. to hold certain medical indigency cases in suspension. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Hearing Specialist Yvonne Baker, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner Alder, the Board voted unanimously to hold the following cases in suspension: Case Nos. 2009-278, 2012-1272, & 2012-901. The proceeding concluded at 8:27 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-1081

The Board met today at 8:33 a.m. to conduct a medical indigency hearing for Case No. 2012-1081. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Deputy P.A. Brad Goodsell, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, Attorney Robert Berry, Heidi Harris from Saint Alphonsus Regional Medical, the applicant, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to take under advisement and render a decision within 30 days. The hearing concluded at 8:45 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2011-1192

The Board met today at 8:46 a.m. to conduct a medical indigency hearing for Case No. 2011-1192. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Deputy P.A. Brad Goodsell, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, Attorney Robert Berry, and Deputy Clerk Monica Reeves. The applicant did not appear for the hearing. Upon the motion of Commissioner Rule and the second by Commissioner Alder, the Board voted unanimously to take under advisement and render a decision within 30 days. The hearing concluded at 8:48 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-1325

The Board met today at 8:49 a.m. to conduct a medical indigency hearing for Case No. 2012-1325. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Deputy P.A. Brad Goodsell, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, Attorney Robert Berry, Lisa Grissom from Saint Alphonsus Regional Medical Center, and Deputy Clerk Monica Reeves. The applicant did not appear for the hearing. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously that the original denial dated August 29, 2012 be upheld. The hearing concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-490

The Board met today at 8:57 a.m. to conduct a medical indigency hearing for Case No. 2012-490. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Deputy P.A. Brad Goodsell, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, Attorney Robert Berry, Lisa Grissom and Heidi Harris from Saint Alphonsus Regional Medical Center, and Deputy Clerk Monica Reeves. The applicant did not appear for the hearing. Upon the motion of Commissioner Rule and the second by Commissioner Alder, the Board voted unanimously to continue the hearing to December 27, 2012 at 8:30 a.m. The hearing concluded at 9:00 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-1354

The Board met today at 9:05 a.m. to conduct a medical indigency hearing for Case No. 2012-1354. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Deputy P.A. Brad Goodsell, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, Chavon Lewis from Saint Alphonsus Regional Medical Center, the applicant and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to continue the hearing to January 24, 2013 at 8:30 a.m. The hearing concluded at 9:17 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-1484

The Board met today at 9:20 a.m. to conduct a medical indigency hearing for Case No. 2012-1484. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Deputy P.A. Brad Goodsell, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, Lisa Grissom from Saint Alphonsus Regional Medical Center and Deputy Clerk Monica Reeves. The applicant did not appear. Upon the motion of Commissioner Rule and the second by Commissioner Alder, the Board voted unanimously that the original denial dated September 26, 2012 be upheld. The hearing concluded at 9:24 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-1345

The Board met today at 9:27 a.m. to conduct a medical indigency hearing for Case No. 2012-1345. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Deputy P.A. Brad Goodsell, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, Nicki Glascock from Saint Alphonsus Regional Medical Center (Nampa), the applicant, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to continue the case to February 7, 2013 at 8:30 a.m. The hearing concluded at 9:33 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-1239

The Board met today at 9:38 a.m. to conduct a medical indigency hearing for Case No. 2012-1239. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, Batul Aarti from Saint Alphonsus Regional Medical Center, the applicant, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to continue the case to January 10, 2013 at 8:30 a.m. The hearing concluded at 9:47 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-1376

The Board met today at 9:49 a.m. to conduct a medical indigency hearing for Case No. 2012-1376. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, Steven DeVille from Saint Alphonsus Regional Medical Center, the applicant, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner Alder, the Board voted unanimously that the original denial dated August 29, 2012 be upheld. The hearing concluded at 9:57 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-1328

The Board met today at 9:59 a.m. to conduct a medical indigency hearing for Case No. 2012-1328. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, Batual Aarti from Saint Alphonsus Regional Medical Center, and Deputy Clerk Monica Reeves. The applicant did not appear for the hearing. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to continue the hearing to February 7, 2013 at 8:30 a.m. The hearing concluded at 10:03 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-988

The Board met today at 10:06 a.m. to conduct a medical indigency hearing for Case No. 2012-988. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, Nicki Glascock from Saint Alphonsus Regional Medical Center (Nampa), and Deputy Clerk Monica Reeves. The applicant did not appear for the hearing. Upon the motion of Commissioner Rule and the second by Commissioner Alder, the Board voted unanimously that the original denial dated June 27, 2012 be upheld. The hearing concluded at 10:15 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2011-1365

The Board met today at 10:18 a.m. to conduct a medical indigency hearing for Case No. 2011-1365. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Deputy P.A. Brad Goodsell, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, Attorney Mark Peterson, Kim Filipiak from St. Luke's Regional Medical Center, the applicant, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to continue the hearing to January 24, 2013 at 8:30 a.m. The hearing concluded at 10:30 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-1329

The Board met today at 10:33 a.m. to conduct a medical indigency hearing for Case No. 2012-1329. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Deputy P.A. Brad Goodsell, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, Attorney Mark Peterson, Vandy Damany from St. Luke's Regional Medical Center, the applicant and her spouse, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner Alder, the Board voted unanimously to continue the hearing to January 24, 2013 at 8:30 a.m. The hearing concluded at 10:47 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-1249

The Board met today at 10:51 a.m. to conduct a medical indigency hearing for Case No. 2012-1249. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Deputy P.A. Brad Goodsell, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, Attorney Mark Peterson, Vandy Damany from St. Luke's Regional Medical Center, the applicant, Maribel Arguello who served as interpreter, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to continue the hearing to January 24, 2013 at 8:30 a.m. The hearing concluded at 11:07 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-1460

The Board met today at 11:09 a.m. to conduct a medical indigency hearing for Case No. 2012-1460. Present were: Commissioners Kathy Alder and Steve Rule, Deputy P.A. Brad Goodsell, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, Attorney Mark Peterson, Jessie Barcroft from St. Luke's Regional Medical Center, the applicant, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to continue the hearing to January 24, 2013 at 8:30 a.m. The hearing concluded at 11:12 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-1436

The Board met today at 11:15 a.m. to conduct a medical indigency hearing for Case No. 2012-1436. Present were: Commissioners Kathy Alder and Steve Rule, Deputy P.A. Brad Goodsell, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, Attorney Mark Peterson, Kim Filipiak from St. Luke's Regional Medical Center, the applicant, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to continue the hearing to February 21, 2013 at 8:30 a.m. The hearing concluded at 11:17 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-1431

The Board met today at 11:21 a.m. to conduct a medical indigency hearing for Case No. 2012-1431. Present were: Commissioners Kathy Alder and Steve Rule, Deputy P.A. Brad Goodsell, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, Attorney Mark Peterson, Kim Filipiak from St. Luke's Regional Medical Center, the applicant, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to continue the hearing to December 27, 2012 at 8:30 a.m. The hearing concluded at 11:31 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-667

The Board met today at 11:40 a.m. to conduct a medical indigency hearing for Case No. 2012-667. Present were: Commissioners David Ferdinand and Kathy Alder, Deputy P.A. Brad Goodsell, Indigent Director Michele Sherrer, Hearing Specialist Yvonne Baker, the applicant, Maribel Arguello who served as interpreter, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Ferdinand, the Board voted unanimously to continue the hearing to February 7, 2013 at 8:30 a.m. The hearing concluded at 11:57 a.m. An audio recording is on file in the Commissioners' Office.

TAKE MEDICAL INDIGENCY CASES UNDER ADVISEMENT

The Board met today at 12:01 p.m. to take medical indigency cases under advisement. Present were: Commissioners David Ferdinand and Kathy Alder, Hearing Specialist Yvonne Baker, Indigent Director Michele Sherrer, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Ferdinand, the Board voted unanimously to take the following cases under advisement and to issue a decision within 30 days: Case Nos. 2012-402, 2012-764, 2012-1035, 2012-881 & 2012-1438. The proceeding concluded at 12:02 p.m. An audio recording is on file in the Commissioners' Office.

UPHOLD CONSENT AGENDA AND ORIGINAL DENIAL DATES

The Board met today at 12:02 p.m. to uphold the consent agenda and the original denial dates of medical indigency hearings. Present were: Commissioners David Ferdinand and Kathy Alder, Hearing Specialist Yvonne Baker, Indigent Director Michele Sherrer, and Deputy Clerk Monica Reeves. As the respective case presentations have been entered into the record and there are no other individuals to appear before the Board today, Ms. Sherrer recommended the Board uphold the previous respective denials in the following cases: Case Nos. 2012-1671, 2012-1503, 2012-1550, 2012-1444, 2012-1171, 2012-1448, 2012-1349, 2012-1194, 2012-1245, 2012-1403, 2012-1446, 2012-869, 2012-1381, 2012-1554, 2012-1441, 2012-1340, 2012-1343, 2012-1113, 2012-1075, 2012-1075, 2010-1401, 2012-1379, 2012-1461, 2012-1412, 2012-1410, 2012-1204, 2012-1428, 2012-1250, 2012-

1407, 2012-1600, 2012-1335. 2012-1347, 2012-1341, 2012-1027, 2012-815, 2012-1019, 2012-1108, 2012-1333, 2012-1332, 2012-1429, 2012-1327, 2012-289 & 2012-1447. Upon the motion of Commissioner Alder and the second by Commissioner Ferdinand, the Board voted unanimously to uphold the previous denials. The proceeding concluded at 12:06 p.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE

The Board met today at 2:05 p.m. for a legal staff update. Present were: Commissioners David Ferdinand and Kathy Alder, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Topics of discussion included: 1. Changes to the Caldwell URA numbers and the slight adjustment to the interest rate. Even with the increase, it is still the best offer on the table. Also discussed was how the funds will be handled. The ground lease and lease agreement for the administration building will be signed on November 26, 2012 at 10:30 a.m. At the end of 2022 the county will own the building. 2. Commissioner Ferdinand advised that he will attend another meeting on November 26, 2012 regarding the Nampa Urban Renewal bond project, and 3., the Board will sign the Gateway West transmission project letter this afternoon. The meeting concluded at 2:16 p.m. An audio recording is on file in the Commissioners' Office.

FOURTH DAY OF NOVEMBER TERM, A.D., 2012
CALDWELL, IDAHO NOVEMBER 16, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
 Commissioner Steve Rule
 Commissioner Kathy Alder
 Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED KEY REQUEST

The Board signed the following key request for: Katie Roberts.

APPROVED TRANSFER OF SICK LEAVE TIME TO VACATION TIME

The Board approved the transfer of sick leave time to vacation time for: Debbie Shearn.

MONTHLY MEETING WITH ADMINISTRATIVE DISTRICT JUDGE TO DISCUSS GENERAL ISSUES

The Board met today at 8:02 a.m. with the Administrative District judge to discuss general issues. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Administrative District Judge Thomas Ryan, Trial Court Administrator Dan Kessler and Deputy Clerk Becky Chandler. Commissioner Ferdinand commented that he has been trying to coordinate a meeting with Judge Lee to discuss the future of mental health cases. He would like to receive input from the hospitals before a county health summit scheduled for December 13 to find out how the county and hospitals can interface. Topics of discussion provided by Judge Ryan included: The Supreme Court legislative team will be going to the legislature this session to seek funding for new judgeships and have asked all judicial districts to work with county Commissioners to assure that there will be support in terms of county responsibility for a new judgeship. The state will pay for a judge and the staff attorneys, administrative assistant support, and facilities must be covered by the county. Judge Ryan indicated that 1 magistrate and 1 district court judge was requested, but 1 district court judge is all that space can accommodate at this time. Support staff would include a need for 1 staff attorney, 1 clerk and 1 secretary, which would be paid by the county at a cost of approximately \$135,000 plus benefits. Commissioner Ferdinand commented that the county position regarding space concerns is being addressed with the planning of an administration building to return the courthouse to its original use of courts. Commissioner Rule advised Judge Ryan that a letter on behalf of the Administration Building would go a long way to show support. Judge Ryan agrees that there is an immediate need for an Administration Building to allow for space solutions. He will also prepare correspondence and forward to the Commissioners for approval before submitting to the legislative team. Public defender delivery system – the subcommittee is searching for ways to provide a service at a cost that is less than is incurred now, by researching different funding mechanisms beyond the justice fund, such as Indigent fund. The Board should expect to receive a presentation from the committee after

February but Judge Ryan noted that the Commissioners may not be happy with the solutions or answers that are provided. He indicated that Judge Huskey is researching a cost saving measure regarding technology planning at the Supreme Court to bring all courts onto a paperless system. The presentation will be held at the Idaho Supreme Court in January.

CONSIDER SIGNING RESOLUTION DECLARING SURPLUS PROPERTIES AS NOT NECESSARY FOR COUNTY USE AND AUTHORIZING SALE THEREOF AND LEGAL NOTICE OF SURPLUS PROPERTY AUCTION

The Board met today at 8:45 a.m. to consider signing a resolution declaring surplus properties as not necessary for county use and authorizing sale thereof and legal notice of surplus property auction. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Deputy Prosecuting Attorney Brad Goodsell and Deputy Clerk Becky Chandler. The surplus property sale will take place on December 4, 2012 at 10:00 a.m. in the Commissioners' Meeting Room. Commissioner Rule made a motion to sign the resolution declaring surplus properties not necessary for county use and legal notice. Commissioner Alder seconded the motion. The motion carried unanimously. The meeting concluded at 8:52 a.m. An audio recording is on file in the Commissioners' Office. (#12-229)

EXECUTIVE SESSION - PERSONNEL MATTER; RECORDS EXEMPT FROM PUBLIC DISCLOSURE; AND POTENTIAL LITIGATION

Note for the record: As properly noticed the Board met today at 9:01 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a real property matter; records exempt from public disclosure; and potential litigation. The Executive Session was held as follows:

Commissioner Alder made a motion to go into Executive Session at 9:02 a.m. pursuant to Idaho Code, Section 67-2345(1) (b), (d) and (f). The motion was seconded by Commissioner Rule and carried unanimously. A roll call vote was taken on the motion with Commissioners Alder, Ferdinand and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Deputy P.A. Mike Porter, Deputy P.A. Brad Goodsell and Deputy

Clerk Becky Chandler. The Executive Session concluded at 9:30 a.m. with no decision being called for in open session.

TENTATIVE AWARD OF CONTRACT FOR PROFESSIONAL DESIGN SERVICES, SOUTHWEST IDAHO JUVENILE DETENTION CENTER COURTROOM ADDITION PROJECT

The Board met today at 9:32 am to award a contract for professional design services for the Southwest Idaho Juvenile Detention Center Courtroom Addition Project. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Deputy P.A. Zach Wesley, Facilities Manager Paul Navarro and Deputy Clerk Becky Chandler. Mr. Navarro reported that the project is still in the negotiation phase. Three (3) Requests for Qualifications were received from Lombard Conrad, Hutchinson Smith and Houston Bugatsch. A 5 member panel committee including Paul Navarro, Steve Jett, Elda Catalano, Alan Oates and Dan Kessler will be setting up interviews to review the qualifications that were received and invite any or all of the Board to participate. Commissioner Alder will join the interviews if the Board schedule allows. Mr. Wesley indicated the Prosecutor's Office will amend RFP to change dates for a new tentative award date the after review process is complete and submit a nomination for a final option to the Board to award a contract. The meeting concluded at 9:35 a.m. with no decision being called for in open session. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING ADDENDUM NO 4 OR CONSIDER AWARDING CONTRACT FOR FAIR INFORMATIONAL MARKETING VIDEO

The Board met today at 10:04 a.m. to consider signing Addendum No 4 or consider awarding contract for Fair Informational Marketing video. Present were: Commissioner David Ferdinand, Steve Rule and Kathy Alder, Deputy P.A. Zach Wesley, Fair Director Rosalie Cope and Deputy Clerk Becky Chandler. Ms. Cope reported that the Fair Board met the previous evening to review the two proposals and videos submitted during the Request for Proposals process. The Board concluded that they would like to select Power Engineers. Although not the lowest bidder, the Fair Board feels that Power Engineers has more experience with promotions and directing and scripting a video to promote and solicit

potential donors. The proposed cost by Power Engineers to produce the video is \$8054. Commissioner Rule made a motion to sign the notice of award of contract to Power Engineers. Commissioner Alder seconded the motion and it carried unanimously. The meeting concluded at 10:17 a.m. An audio recording is on file in the Commissioners' Office.

FIFTH DAY OF NOVEMBER TERM, A.D., 2012
CALDWELL, IDAHO NOVEMBER 19, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
Commissioner Steve Rule
Commissioner Kathy Alder
Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED KEY REQUEST

The Board signed the following key request for: Erin Bullard.

APPROVED PERSONNEL FORM

The Board signed the following personnel form for: Dallin Behunin.

SIGNED MEDICAL INDIGENCY DOCUMENTS

The Board signed the following medical indigency documents: 2012-051964, 2012-051963, 2012-051962, 2012-051960, 2012-051959, 2012-051958, 2012-051957, 2012-051956, 2012-051955, 2012-051954, 2012-051953, 2012-051952, 2012-051961, 2012-051982, 2012-051981, 2012-051980, 2012-051979, 2012-051978, 2012-051977, 2012-051976, 2012-051975, 2012-051974, 2012-051973, 2012-051972, 2012-051971, 2012-051970, 2012-051969, 2012-051968, 2012-051967, 2012-051966, 2012-051965, 2012-046755, 2012-046125, 2012-051951, 2012-051950, 2012-051946, 2012-051947, 2012-051948, 2012-051949.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:36 a.m. for an office staff meeting. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Facilities Manager Paul Navarro, PIO Joe Decker, and Deputy Clerks Becky Chandler, Claudia Amaral and Monica Reeves. The items discussed were general in nature. Ms. Amaral and Ms. Chandler left at 8:44 a.m. Joe Decker reported on communication issues. Paul Navarro reported on facilities issues. The meeting concluded at 8:48 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION - PENDING LITIGATION MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 9:03 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a pending litigation matter and records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Alder made a motion to go into Executive Session at 9:04 a.m. pursuant to Idaho Code, Section 67-2345(1) (d) and (f). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Alder, Rule and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, and Deputy Clerk Monica Reeves. Sheriff Chris Smith joined the session via conference call at 9:07 a.m. The Executive Session concluded at 9:29 a.m. While in open session and as part of legal staffing, the Board discussed a document for the American Civil Liberties Union (ACLU). Sam Laugheed said the county has been working with the ACLU since July of 2012 on the 2009 consent decree. There were some issues that potentially exposed the county to contempt and we have worked through those with the help of the Sheriff's office and we now have a third amended consent decree to sign that reduces our obligations by 80% and now we're just left with a few topics where we need a little more time in order to fully satisfy our obligations. The consent decree extends it by one year and gives us more time for sanitation issues, recreation issues, ventilation issues and water temperature

issues that have been addressed but we need to compile proof over time. Commissioner Rule made a motion to sign the third amendment to the 2009 consent decree with the ACLU. The motion was seconded by Commissioner Alder and carried unanimously. Mr. Laugheed said it is a legal document and a ministerial one for the Board to sign and it is appropriate to be signed during legal staffing. He asked staff to set a time 48 hours from now for the Board to consider ratifying the signatory on the consent decree to give notice of the action. The discussion concluded at 9:31 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

SIXTH DAY OF NOVEMBER TERM, A.D., 2012
CALDWELL, IDAHO NOVEMBER 20, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
Commissioner Steve Rule
Commissioner Kathy Alder
Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED PERSONNEL FORMS

The Board signed the following personnel forms for: Eric Bowen, Gary John, Daniel Williams, Jessica Hartley, Monica Frasier, Erin Bullard, Sarah Higuera.

APPROVED PURCHASE ORDER

The Board approved the following purchase order for: Facilities \$893.00.

SIGNED MEDICAL INDIGENCY DOCUMENTS

The Board signed the following medical indigency documents: 2012-052375, 2012-052374, 2012-052373, 2012-052370, 2012-052372, 2012-052376, 2012-052371, 2012-005376.

BIWEEKLY MEETING WITH THE CHIEF PROBATION OFFICER TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 8:31 a.m. for a biweekly meeting with the Chief Probation Officer to discuss general issues, set policy, and give direction. Present were: Commissioners Kathy Alder and Steve Rule, Chief Probation Officer Elda Catalano, Trial Court Administrator Dan Kessler, and Deputy Clerk Monica Reeves. The items discussed were general in nature and did not require Board action. The meeting concluded at 8:40 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

LEGAL STAFF UPDATE

The Board met today at 9:01 a.m. for a legal staff update. Present were: Commissioners Steve Rule and Kathy Alder, Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter, and Deputy Clerk Monica Reeves. Brad Goodsell said there are two pending applications for property tax exemptions for economic development tax exemptions. One is under 606A and the other is under 602NN. The Board previously adopted guidelines on 606A but there are no criteria for the exemption on 602NN. Mr. Goodsell is researching what kind of criteria other governmental entities use to make those decisions and he hopes to come back in a couple days with some proposals for criteria to examine the applications. He said there are some statutory criteria but the decision is ultimately left to the discretion of the Board. Chief Deputy Sheriff Marv Dashiell arrived at 9:05 a.m., at which time a request was made to go into Executive Session as follows:

EXECUTIVE SESSION - LITIGATION MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Alder made a motion to go into Executive Session at 9:05 a.m. pursuant to Idaho Code, Section 67-2345(1) (d) and (f). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Alder and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule and Kathy Alder, Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter, Chief Deputy Sheriff Marv Dashiell, and Deputy Clerk Monica Reeves. Chief Dashiell left at 9:15 a.m. Mr.

Porter left at 9:35 a.m. The Executive Session concluded at 9:42 a.m. with no decision being called for in open session.

An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

HEARING TO CONSIDER APPEAL OF FRANKIE AMEN CASE NO. CU2012-3
BY TIM AND JULIE SCHELHORN

The Board met today at 10:03 a.m. to consider an appeal by Tim and Julie Schelhorn regarding the Frankie Amen Case No. CU2012-3. Present were: Commissioners Steve Rule and Kathy Alder, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. Ms. Almeida advised that Frankie Amen's representative submitted a request to continue the hearing due to a scheduling conflict. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to table the hearing to January 17, 2013 at 9:00 a.m. The proceeding concluded at 10:06 a.m. An audio recording is on file in the Commissioners' Office.

SEVENTH DAY OF NOVEMBER TERM, A.D., 2012
CALDWELL, IDAHO NOVEMBER 21, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
 Commissioner Steve Rule
 Commissioner Kathy Alder
 Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED PERSONNEL FORM

The Board signed the following personnel form for: Kristen Hunting.

EXECUTIVE SESSION - LITIGATION MATTER

Note for the record: As properly noticed the Board met today at 9:19 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a litigation matter and records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Alder made a motion to go into Executive Session at 9:20 a.m. pursuant to Idaho Code, Section 67-2345(1) (f). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Alder and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule and Kathy Alder, Deputy P.A. Mike Porter, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:40 a.m. While in open session, the Board asked for guidance on whether it could proceed with the signing of the Findings of Fact, Conclusions of Law and Order (FCOs) regarding the request by J.A.P.S. for an amendment to the development agreement. At a previous hearing Commissioners Rule and Ferdinand voted to approve the request while Commissioner Alder was opposed to the motion to approve. Commissioner Ferdinand is not present for this morning's meeting but he is expected back in the office later today or tomorrow. Mike Porter said there is no procedural issue with moving forward with the signing of the FCOs noting that Commissioner Ferdinand can sign the document when returns to the office. The discussion concluded at 9:40 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING FCOS AND AMENDED DEVELOPMENT AGREEMENT FOR J.A.P.S. OF IDAHO, LLC, CASE NO. CR-PH 2012-1002

The Board met today at 9:42 a.m. to consider signing the Findings of Fact, Conclusions of Law and Order (FCOs) as well as the amended development agreement for J.A.P.S. of Idaho, LLC for Case No. CR-PH 2012-1002. Present were: Commissioners Steve Rule and Kathy Alder, DSD Planner Deb Root, Todd Lakey, Alan Mills, Mike Conklin, Glen Olsen, and Deputy Clerk Monica Reeves. Deb Root presented the Board with the FCOs as well as the development agreement as amended at the hearing that was conducted on November 19, 2012. Todd Lakey reviewed the documents prepared by staff. He noted that in the proposed agreement listed both Jay Gibbons and Mike Conklin in the LLC. Mr.

Gibbons is not present today, but Mr. Conklin is and he can sign on behalf of the LLC. At the Board's hearing on November 19th, Commissioners Rule and Ferdinand voted to approve the request. Commissioner Alder was opposed to the motion to approve. Commissioner Ferdinand is not present for today's meeting, but legal counsel has advised that the Board can proceed in the absence of Commissioner Ferdinand, who will sign the documents once he returns to the office. Commissioner Rule made a motion to sign the FCOs and the amended development agreement for J.A.P.S. of Idaho, LLC, Case No. CR-PH 2012-1002. Commissioner Alder seconded the motion with the idea that Commissioner Ferdinand will sign the documents, but she will not. The motion carried unanimously. The meeting concluded at 9:46 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER RATIFYING THE SIGNATORY ON THE ACLU CONSENT DECREE

The Board met today at 10:00 a.m. to consider ratifying the signatory on the ACLU consent decree. Present were: Commissioners Steve Rule and Kathy Alder, and Deputy Clerk Monica Reeves. The Board signed the third amendment to the 2009 ACLU consent decree on November 19, 2012 during a legal staff update. Today, the Board ratified that earlier action upon the motion of Commissioner Alder and the second by Commissioner Rule. The motion carried unanimously. (The signed amendment to the consent decree is on file in the November 19, 2012 minutes.) The meeting concluded at 10:01 a.m. An audio recording is on file in the Commissioners' Office.

EIGHTH DAY OF NOVEMBER TERM, A.D., 2012
CALDWELL, IDAHO NOVEMBER 23, 2012

No meetings scheduled. Office closed.

NINTH DAY OF NOVEMBER TERM, A.D., 2012
CALDWELL, IDAHO NOVEMBER 26, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
Commissioner Steve Rule
Commissioner Kathy Alder
Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED KEY REQUEST

The Board signed the following key request for: Jessica Cafferty.

APPROVED PERSONNEL FORM

The Board signed the following personnel form for: Stacy Lewman.

APPROVED CLAIMS ORDER #11-26-12

The Board of Commissioners approved payment of County claims in the amount of \$85,770.00, \$125,095.70, \$73,856.75, \$27,015.90, \$120,520.11 for accounts payables.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:31 a.m. for an office staff meeting. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Facilities Manager Paul Navarro, PIO Joe Decker, and Deputy Clerks Becky Chandler, Claudia Amaral and Monica Reeves. The items discussed were general in nature. Ms. Amaral and Ms. Chandler left at 8:51 a.m. Joe Decker reported on communication issues. Paul Navarro reported on facilities issues. The meeting concluded at 8:54 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS MEETING

The Board met today at 9:02 a.m. for an elected officials meeting. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Prosecutor Bryan Taylor, Assessor Gene Kuehn, Coroner Vicki DeGeus-Morris, Clerk Chris Yamamoto, Treasurer Tracie Lloyd, Captain Craig Hanson who appeared on behalf of Sheriff Chris Smith, and Deputy Clerk Monica Reeves. Reports were given as follows: Tracie Lloyd reported that tax notices have been mailed. There was a glitch this year where the third party vendor mailed individual notices to property owners who own multiple properties rather than sending the notices in one envelope. Ms. Lloyd will follow up with the vendor to find out why the sorting problem occurred. Gene Kuehn reported that the Assessor's Office is running the sub-roll, occupancy roll and transient roll. Also, assessments notices will be mailed the first of next week. Vicki DeGeus-Morris reported that the Coroner's Office averages one to two autopsies per week. Chris Yamamoto said the Clerk's Office has been working on the personal property tax issue. He wants to make sure everyone understands that if they repeal the personal property tax, operating properties will go with it. He said at a recent central committee meeting some legislators said the repeal will happen, it's just a matter of how and what, and, that the county should come up with a compromise. Bryan Taylor said the Prosecutor's Office is trying to coordinate with the courts on reevaluating the calendar to see if the courts will change the way in which current court dockets are set up. Right now the issue is not the caseload it's making sure staff is in the courtrooms. On another topic, Prosecutor Taylor said he and Clerk Yamamoto will meet with Judge Ryan this morning to discuss storage of evidence. It was recently brought to his attention that there is an evidence locker in the Clerk's Office that houses left over methamphetamines and chemicals from trials for the past 20 years. They will remove the items and put them into a secure facility with a law enforcement agency, and they will create a new protocol for housing evidence from drug trials. Craig Hanson reported that the Sheriff's Office is working on some personnel issues. Commissioner Ferdinand reminded the group of the December 10 Legislators Luncheon. Commissioner Rule said the Board was advised that the courts' want to use the public meeting room as a courtroom. The meeting concluded at 9:24 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION - LITIGATION MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 9:31 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a litigation matter and records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Rule made a motion to go into Executive Session at 9:32 a.m. pursuant to Idaho Code, Section 67-2345(1) (d) and (f). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder, Rule and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Prosecutor Bryan Taylor, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, and Deputy Clerk Monica Reeves. Prosecutor Taylor left at 9:45 a.m. The Executive Session concluded at 10:08 a.m. with no decision being called for in open session.

CONSIDER REQUEST BY SORRENTO LACTALIS FOR PROPERTY TAX EXEMPTION; POSSIBLE DECISION

The Board met today at 10:08 a.m. to consider a request by Sorrento Lactalis for a property tax exemption, pursuant to Idaho Code, Section 63-606A. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Assessor Gene Kuehn, Chief Deputy Assessor Joe Cox, Controller Zach Wagoner, Deputy P.A. Brad Goodsell, Attorney Debra Nelson, Steven Winters, Manager of Finance and Administration for Sorrento Lactalis, and Deputy Clerk Monica Reeves. Debra Nelson said the company is building their fresh mozzarella addition with a new 61,000 square foot facility that is under construction and expected to be completed in March. They are seeking a tax exemption on that facility under the small employer incentive act which allows businesses to invest at least \$500,000 and create 10 high paying jobs and request an exemption for that investment. Ms. Nelson said Sorrento has invested \$35 million and created 70 high paying jobs. They are asking for a 75% reduction for five years, similar to what was approved last time for the whey dryer. Commissioner Ferdinand said if the Board grants the exemption and the legislature repeals the personal property tax, we will have to readdress the exemption. Commissioner Rule said there is a lot of industry pushing for the exemption yet it's going to make it impossible for the

county to grant these exemptions unless there's an offset. Ms. Nelson said there could be an annual review where you consider whether the personal property tax exemption remains in place. Commissioner Alder supports a three year extension but she wants it reviewed every year. If personal property taxes go away we have to look at the exemptions and it's possible we won't be able to offer incentives because the repeal has taken away our tax base. Gene Kuehn said if there are no replacement dollars it is a moot issue; however, if there are replacement dollars than the personal property that we've already exempted comes into play and would we ever get replacement dollars for that? Zach Wagoner noted that 13% (\$5 million) of the county's property tax revenue comes from personal property tax. It's a very significant issue to the county and to other taxing districts. Commissioner Alder supports the incentive but said it has to be reviewed every year because it's based on the way we're collecting taxes today. Joe Cox said we need a recapture mechanism in the event the facility shuts down prior to the exemption running out and the jobs are lost. Ms. Nelson said it is her understanding that the only change from the prior approval would be a one year check-in instead of just checking in to make sure the jobs are still intact and to also look at the legislative activity to see if the personal property tax has gone away or been phased out, as opposed to an open ended review that happens again at three years. That Board said that is correct. A resolution for the tax exemption will be drafted and placed on the Board's agenda. The meeting concluded at 10:30 a.m. An audio recording is on file in the Commissioners' Office.

REVIEW AND CONSIDER ADMINISTRATION BUILDING DOCUMENTS INCLUDING LEASE AGREEMENT AND GROUND LEASE; POSSIBLE DECISION TO FOLLOW

The Board met today at 10:33 a.m. to review and consider administration building documents including lease agreement and ground lease. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Attorney Mike Stoddard, Deputy P.A. Zach Wesley, Controller Zach Wagoner, Trial Court Administrator Dan Kessler, and Deputy Clerk Monica Reeves. Zach Wesley said the Board does not have anything to sign today; the lease documents will be considered in the next month. The Caldwell Urban Renewal Agency (URA) will meet today at noon to consider signing the resolution of the agency, which is the main resolution that will get the project finalized. He said there will be a 30 day

closing period in which we'll get the other leases finalized and have everything in place by December 27 for the URA's portion. During that time the county will get an RFQ for the design building construction contract. The funds will first issue after we close to pay the initial cost and then as it goes along using the drop down financing when the construction contract's in place. Commissioner Alder said the action today gives an opportunity for people to comment. Mike Stoddard said at the closing on December 27, the only funding that will take place at that time will be for the cost of issuance. The rest of the money will be held by the bank and won't be available for disbursement until the construction contract is in place. During the construction period we will only pay interest on the amounts that are actually drawn down. The reserve fund is funded at a slightly smaller amount and that will be funded over time as amounts are drawn down. According to Mr. Stoddard, if the URA has trouble meeting its obligations the reserve fund is available to be drawn on in order to meet the obligations. There is no obligation for the county to pay; the resolution and agreement obligates only the URA to pay. The documents have language that says the county has the flexibility to spend any leftover money for any other project or use that meets both the URA and tax requirements. Mr. Stoddard wants the Board to approve the project and documents in their tentative form so that he can go to URA and talk with bank later and tell them the county supports the action. Mr. Wesley presented the Board with a resolution approving the various documents relating to the issuance and sale of revenue allocation bonds. The draft resolution has the content; he will present a final version later this morning. Upon the motion of Commissioner Rule and the second by Commissioner Alder, the Board voted unanimously to sign the resolution approving various documents relating to the issuance and sale of revenue allocation (tax increment) bonds by the Urban Renewal Agency of the City of Caldwell to finance the construction of an administration building for use by Canyon County. (See Resolution No. 12-230). The meeting concluded at 10:53 a.m. An audio recording is on file with this day's minute entry.

UNSCHEDULED REVENUE HEARING

The Board met today at 10:53 a.m. for an unscheduled revenue hearing for the district court fund and the misdemeanor probation fund. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Controller Zach Wagoner, Trial Court Administrator Dan Kessler, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to approve the resolution that adjusts the district court fund by \$15,000 and the misdemeanor probation fund by \$22,000. The signed resolution, No. 12-231, is on file with this day's minute entry.

EXECUTIVE SESSION - PERSONNEL MATTER - DEPARTMENT HEAD PERFORMANCE EVALUATIONS

Commissioner Alder made a motion to go into Executive Session at 1:38 p.m. pursuant to Idaho Code, Section 67-2345(1) (b) to conduct department head performance reviews. The motion was seconded by Commissioner Ferdinand. A roll call vote was taken on the motion with Commissioners Alder and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand and Kathy Alder, Facilities Manager Paul Navarro, and Deputy Clerk Monica Reeves. Commissioner Steve Rule arrived at 1:50 p.m. Mr. Navarro left at 2:15 p.m. DSD Director Kevin LoPiccolo arrived at 2:16 p.m. and left at 2:31 p.m. Fleet Director Mark Tolman arrived at 2:32 p.m. and left at 2:56 p.m. Chief Probation Officer Elda Catalano and Trial Court Administrator Dan Kessler arrived at 2:57 p.m. Ms. Catalano and Mr. Kessler left at 3:35 p.m. The Executive Session concluded at 3:44 p.m. with no decision being called for in open session.

TENTH DAY OF NOVEMBER TERM, A.D., 2012
CALDWELL, IDAHO NOVEMBER 27, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
Commissioner Steve Rule
Commissioner Kathy Alder
Deputy Clerks Monica Reeves and Claudia Amaral

SIGNED MEDICAL INDIGENCY DOCUMENTS

The Board signed the following medical indigency documents: 2012-053067, 2012-053076, 2012-053070, 2012-053073, 2012-053075, 2012-053069, 20-053066, 2012-053065, 2012-053074, 2012-053072, 2012-053071, 2012-053068.

CONSIDER RESOLUTION APPROVING TITLE CHANGES FOR CLERK'S OFFICE

The Board met today at 10:05 a.m. to consider a resolution for the Clerk's Office. Present were: Commissioners David Ferdinand and Steve Rule, Clerk Chris Yamamoto, H.R. Director Jeannine Eiband, Court Operations Manager Denise Kennel, and Deputy Clerk Monica Reeves. The request is to approve title, pay range and job description changes for the following positions within the Clerk's Office: One lead court clerk to an area supervisor; one court finance specialist to an area supervisor; and one lead court clerk to an area supervisor. The change is to have a broad title to encompass everything they do; it also makes the chain of command clearer. Upon the motion of Commissioner Rule and the second by Commissioner Ferdinand, the Board voted unanimously to sign the resolution which changes one lead court clerk to an area supervisor; one court finance specialist to an area supervisor; and one lead court clerk to an area supervisor. A signed copy of the resolution, No. 12-232, is on file with this day's minute entry. The meeting concluded at 10:10 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION - PENDING LITIGATION AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 1:31 p.m. for a legal staffing update/meet with legal counsel. A request was made to go into Executive Session for pending litigation and records that are exempt from public disclosure. The Executive Session was held as follows:

Commissioner Alder made a motion to go into Executive Session under Idaho Code, Section 67-2345 (1) (d) and (f). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Alder and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Kathy Alder and Steve Rule, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, and Deputy Clerk Becky Chandler. Ms. Amaral arrived at 2:20 p.m. to take over for Ms. Chandler who left at 2:20 p.m. The meeting concluded at 2:21 p.m. The executive session concluded at 10:14 a.m. with no decisions in an open meeting.

CONSIDER SIGNING AGREEMENTS WITH SERENA LEHMAN AND CANYON COUNTY FOR PROVISIONS OF EDUCATION GROUPS FOR JUVENILE OFFENDERS AND THEIR PARENTS; JUVENILE DETENTION HOUSING AGREEMENT BETWEEN ADAMS COUNTY AND CANYON COUNTY; JUVENILE DETENTION HOUSING AGREEMENT BETWEEN GEM COUNTY AND CANYON COUNTY; AND ELECTRONIC MONITORING SERVICE AGREEMENT BETWEEN ALL ACCESS SERVICES AND CANYON COUNTY

As scheduled, the Board met today to consider signing agreements with Serena Lehman and Canyon County for Provisions of Education Groups for Juvenile Offenders and Their Parents; Juvenile Detention Housing Agreement between Adams County and Canyon County; Juvenile Detention Housing Agreement between Gem County and Canyon County; and Electronic Monitoring Service Agreement between All Access Services and Canyon County. Present were: Commissioners Steve Rule and Kathy Alder, Deputy P.A. Zach Wesley, Juvenile Detention Center Director Steve Jett, Juvenile Probation Director Elda Catalano, Emergency Management Director Lt. Todd Herrera and Deputy Clerk Claudia Amaral. Upon the motion of Commissioner Alder and the second by

Commissioner Rule, the Board voted unanimously to sign all the agreements. Zach Wesley said he would like to review the Motorola Agreement that was scheduled for today and reschedule a new agreement for signing. Agreements on file include: #12-148, #12-149, #12-150, #12-151). The meeting concluded at 2:28 p.m. An audio recording is on file in this day's minutes.

SEVENTH DAY OF NOVEMBER TERM, A.D., 2012
CALDWELL, IDAHO NOVEMBER 28, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
 Commissioner Steve Rule
 Commissioner Kathy Alder
 Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED KEY REQUEST

The Board signed the following key request for: Jessica Cafferty.

APPROVED VACATION LEAVE TO OTHER EMPLOYEE FOR SICK LEAVE

The Board approved the donation of vacation leave to another employee for sick leave to: Rachael Jacques.

QUARTERLY MEETING WITH THE COUNTY AGENT TO DISCUSS
GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 8:33 a.m. for a quarterly meeting with the County Extension Director to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand and Kathy Alder, County Agent Jerry Neufeld, Nancy Shelstad, County Extension Office and Deputy Clerk Claudia Amaral. Topics of discussion included irrigation water,

Ag Tour, and 4-H. The meeting concluded at 9:04 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

EXECUTIVE SESSION - PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 9:07 a.m. for a legal staffing update/meet with legal counsel. A request was made to go into Executive Session for a personnel matter. The Executive Session was held as follows:

Commissioner Rule made a motion to go into Executive Session under Idaho Code, Section 67-2345 (1) (b) and (d). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Ferdinand, Alder and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Prosecuting Attorney Bryan Taylor, Chief Deputy P.A. Sam Laugheed, County Clerk Chris Yamamoto, Controller Zach Wagoner and Deputy Clerk Claudia Amaral. The executive session concluded at 10:14 a.m. with no decisions in an open meeting.

At 10:16, another request was made to go into Executive Session. The Executive Session was held as follows:

EXECUTIVE SESSION - PERSONNEL MATTER; RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY/CLIENT LITIGATION

Commissioner Alder made a motion to go into Executive Session per Idaho Code, Section 67-2345, (1) (b) and (d) and (f). Commissioner Rule seconded the motion. A roll call vote was taken on the motion with Commissioners Ferdinand, Alder and Rule voting in favor of the motion to enter into Executive Session. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Chief Deputy P.A. Sam Laugheed, and Deputy Clerk Claudia Amaral. Deputy Clerk Monica Reeves arrived at 10:30 a.m. The Executive Session concluded at 10:55 a.m. with no decision being called for in an open session.

EXECUTIVE SESSION - PERSONNEL MATTER - DEPARTMENT HEAD
PERFORMANCE EVALUATIONS

Commissioner Alder made a motion to go into Executive Session at 1:31 p.m. pursuant to Idaho Code, Section 67-2345(1) (b) & (d) to conduct department head performance reviews. The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Alder, Ferdinand and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand, Kathy Alder, and Steve Rule, Parks and Recreation Director Tom Bicak arrived at 1:31 p.m. and left at 2:00 p.m., Weed & Gopher Control Director Jim Martell arrived at 2:00 and left at 2:25 p.m., Human Resources Director Jeannine Eiband arrived at 2:25 p.m. and left at 2:45 p.m., Landfill Director Jack Biddle arrived at 3:00 p.m. and left at 3:24, Fair Director Rosalie Cope arrived at 3:24 p.m. and left at 3:48 p.m., and Deputy Clerk Claudia Amaral. Commissioner Ferdinand left at 2:25 p.m. The Executive Session concluded at 3:48 p.m. with no decision being called for in open session.

TWELFTH DAY OF NOVEMBER TERM, A.D., 2012
CALDWELL, IDAHO NOVEMBER 29, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
 Commissioner Steve Rule
 Commissioner Kathy Alder
 Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED PERSONNEL FORM

The Board signed the following personnel form for: Kandice Taylor.

APPROVED CLAIMS ORDER #1304

The Board of Commissioners approved payment of County claims in the amount of \$1,163,320.26 for a county payroll.

EXECUTIVE SESSION - PENDING LITIGATION; PERSONNEL MATTER AND RECORDS THAT ARE EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 9:01 a.m. for a legal staffing update/meet with legal counsel. A request was made to go into Executive Session regarding pending litigation and a personnel matter. The Executive Session was held as follows:

Commissioner Rule made the motion to go into Executive Session under Idaho Code, Section 67-2345(1) (b) (d) and (f). The motion was seconded by Commissioner Ferdinand. A roll call vote was taken on the motion with Commissioners Rule and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand and Steve Rule, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter and Deputy Clerk Claudia Amaral. The Executive Session concluded at 9:31 a.m. with no decisions being called for in an open session.

MEETING TO DISCUSS JAIL COMPLAINTS AND TORT CLAIMS

Note for the record: As property noticed the Board met today at 9:32 a.m. for a meeting to discuss jail complaints and tort claims. A request was made to go into Executive Session for personnel matters; exempt records; and pending litigation.

Commissioner Rule made a motion to go into Executive Session at 9:32 a.m. pursuant to Idaho Code, Section 67-2345(1) (b) & (d) & (f). The motion was seconded by Commissioner Ferdinand. A roll call vote was taken on the motion with Commissioners Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand and Steve Rule, Jail Captain Dana Maxfield, Chief Deputy Sheriff Marv Dashiell, Chief Deputy P.A. Sam Laugheed, and

Deputy Clerk Claudia Amaral. The meeting concluded at 9:48 a.m. There were no decisions made in an open meeting. An audio recording of the open portion of the meeting is on file in the Commissioners' Office. While out of Executive Session, Commissioner Rule made a motion to continue this to 1:30 p.m. today. Commissioner Ferdinand seconded the motion and it passed unanimously.

At 1:48 p.m., Chief Deputy P.A. Sam Laugheed asked that the Board continue the staff update from this a.m. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Claudia Amaral. Mr. Laugheed presented a court document, Verified Complaint for Injunctive Relief and Declaratory Judgment that was discussed in Executive Session. Mr. Laugheed said this needs to be discussed in open session where the Board can decide whether it wants to move forward. This is related to the county's efforts against the Idaho Department of Environmental Quality's attempt to impose vehicle emission testing in a manner we believe is unconstitutional. Mr. Laugheed asked the Board to consider making a motion to execute the Verified Complaint for Injunctive Relief and Declaratory Judgment so we can move forward with the file. Commissioner Alder stated although she was not present at this morning's legal meeting, she has reviewed the document and read the entire ten pages. Commissioner Alder said she is very much aware of where this is and where this is going. The content is what we have been saying all along. Commissioner Rule agreed. Commissioner Alder made a motion to file the Verified Complaint for Injunctive Relief and Declaratory Judgment against DEQ. Commissioner Rule seconded the motion and feels this represents the county's position well. Commissioner Ferdinand said DEQ has never addressed the constitutionality of what they have done to Canyon County. The motion passed unanimously. Mr. Laugheed said the Board will authorize the Chairman of the Board on behalf of the Board to execute the verified complaint. The meeting concluded at 1:52 p.m. An audio recording is on file in the Commissioners Office.

THIRTEENTH DAY OF NOVEMBER TERM, A.D., 2012

CALDWELL, IDAHO

NOVEMBER 30, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
Commissioner Steve Rule - out of office
Commissioner Kathy Alder
Deputy Clerks Monica Reeves and Claudia Amaral

FILED OATHS OF OFFICE

The Board filed an Oath of Office for: Garrett Worley, Ryan Hoke.

MEETING TO CONSIDER SIGNING SURPLUS NOTICE FOR GEM COUNTY PROPERTY

The Board met today at 8:47 a.m. to consider signing a surplus notice for Gem County Property. Present were: Commissioners David Ferdinand and Kathy Alder, Deputy P.A. Zach Wesley, County Fleet Director Mark Tolman, and Deputy Clerk Claudia Amaral. Zach Wesley said this is a notice of intent for surplus property. Mark Tolman said this is our old command unit and we are not using this any longer. The radios are surplus and it's a good deal for Gem County. Upon the motion of Commissioner Alder and the second by Commissioner Ferdinand, the Board voted unanimously to sign the Notice of Intent. The meeting concluded at 8:51 a.m. An audio recording is on file in the Commissioners Office.

EXECUTIVE SESSION - PERSONNEL MATTER; PENDING LITIGATION; ATTORNEY/CLIENT COMMUNICATION

Note for the record: As properly noticed the Board met today at 9:00 a.m. for a legal staffing update/meet with legal counsel. A request was made to go into Executive Session regarding pending litigation and a personnel matter. The Executive Session was held as follows:

Commissioner Alder made the motion to go into Executive Session under Idaho

Code, Section 67-2345(1) (b) (d) and (f). The motion was seconded by Commissioner Ferdinand. A roll call vote was taken on the motion with Commissioners Alder and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand and Kathy Alder, Chief Deputy P.A. Sam Laugheed, Treasurer Tracie Lloyd, Deputy P.A. Brad Goodsell and Deputy Clerk Claudia Amaral. Tracie Lloyd left at 9:18 a.m. The Executive Session concluded at 9:50 a.m. with no decisions being called for in an open session.

EXECUTIVE SESSION - PERSONNEL MATTER - DEPARTMENT HEAD PERFORMANCE EVALUATIONS

Commissioner Alder made a motion to go into Executive Session at 9:50 a.m. pursuant to Idaho Code, Section 67-2345(1) (b) & (d). The motion was seconded by Commissioner Ferdinand. A roll call vote was taken on the motion with Commissioners Ferdinand and Alder voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand and Kathy Alder and Deputy Clerk Monica Reeves. Jeff Breach, the Director of Misdemeanor Probation arrived at 9:52 a.m., and left at 10:15 a.m. Juvenile Detention Director Steve Jett arrived at 10:15 a.m. and left at 10:38 a.m. The Board came out of Executive Session at 10:38 a.m., and announced that the Executive Session would be continued to 11:00 a.m. this morning. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

EXEC SESSION - PERSONNEL MATTER - DEPARTMENT HEAD PERFORMANCE EVALUATION

Commissioner Alder made a motion to go into Executive Session at 11:52 a.m. pursuant to Idaho Code, Section 67-2345(1) (b) & (d). The motion was seconded by Commissioner Ferdinand. A roll call vote was taken on the motion with Commissioners Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand and Kathy Alder, CIO Joe Decker and Deputy Clerk Claudia Amaral. The meeting concluded at 12:08 p.m. There were no decisions made in an open

meeting. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

CONSIDER SIGNING STOP LOSS INSURANCE APPLICATION

Note for the record: As properly noticed the Board met today at 12:11 p.m. to consider signing a Stop Loss Insurance Application. A request was made to go into Executive Session under personnel matters and records that are exempt. The Executive Session was held as follows:

Commissioner Alder made a motion at 12:12 p.m. to go into Executive Session under Idaho Code, Section 67-2345 1 (b) (d) & (f). The motion was seconded by Commissioner Ferdinand. A roll call was taken on the motion of Commissioner Alder and Ferdinand voting in favor of the motion to enter into Executive Session. The Board went back on the record at 12:17 p.m. Present were: Commissioners David Ferdinand and Kathy Alder, Deputy P.A. Zach Wesley, H.R. Director Jeannine Eiband, and Deputy Clerk Claudia Amaral. The Executive Session concluded at 12:17 p.m. There were no decisions in open session.

While out of Executive Session, Commissioner Alder made a motion to sign the Stop Loss Insurance Application that was on the Agenda. Commissioner Ferdinand seconded the motion and the motion passed. The meeting concluded at 12:21 p.m. An audio recording of the signing is on file in the Commissioners Office.

FOURTEENTH DAY OF NOVEMBER TERM, A.D., 2012
CALDWELL, IDAHO DECEMBER 3, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
 Commissioner Steve Rule
 Commissioner Kathy Alder
 Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED PERSONNEL FORM

The Board signed the following personnel form for: Madison Hamby.

APPROVED CLAIMS ORDER #12-3-12

The Board of Commissioners approved payment of County claims in the amount of \$181.66 for an accounts payable.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:37 a.m. for an office staff meeting. Present were: Commissioners David Ferdinand and Kathy Alder, Facilities Manager Paul Navarro, PIO Joe Decker, and Deputy Clerks Claudia Amaral, Becky Chandler. The items discussed were general in nature. Ms. Amaral left at 8:42 a.m. Mr. Decker reported on communication issues and left the meeting at 8:54 a.m. Mr. Navarro reported on facilities issues. The meeting concluded at 8:57 a.m. An audio recording is on file in the Commissioners' Office.

BI-WEEKLY MEETING WITH JUVENILE DETENTION CENTER DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 9:01 a.m. for a bi-weekly meeting with the Juvenile Detention Center Director to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand and Kathy Alder, Trial Court Administrator Dan Kessler, Communications Officer Joe Decker, Juvenile Detention Director Steve Jett, Detention Center Employees: Candy Martilla, Merilee Davis, Sean Brown, and Deputy Claudia Amaral. The items discussed were general in nature and did not require Board action. The meeting concluded at 9:13 a.m. An audio recording of the meeting is on file in the Commissioners Office.

CONSIDER SIGNING MEMORANDUM OF AGREEMENT FOR CANYON COUNTY DOMESTIC VIOLENCE COURT AND APPLICATION FOR IDAHO DOMESTIC VIOLENCE COURT

As scheduled, the Board met today at 1:16 p.m. to consider signing a Memorandum of Agreement for the Canyon County Domestic Violence Court and Application for the Idaho Domestic Violence Court. Upon the motion of Commissioner Alder and the second by Commissioner Ferdinand, the Board voted unanimously to sign the Memorandum of Agreement for Domestic Violence Court and the application for Idaho Domestic Violence Court. (Agreement #12-153). The meeting concluded at 1:26 p.m. An audio recording is on file in this day's minutes.

EXEC SESSION - PERSONNEL MATTER - DEPARTMENT HEAD PERFORMANCE EVALUATION

Commissioner Alder made a motion to go into Executive Session at 1:34 p.m. pursuant to Idaho Code, Section 67-2345(1) (b) & (d). The motion was seconded by Commissioner Ferdinand. A roll call vote was taken on the motion with Commissioners Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand and Kathy Alder, Development Services Director Kevin LoPiccolo, CIO Rob Hopper and Deputy Clerk Claudia Amaral. Kevin LoPiccolo arrived at 1:34 p.m. and left at 2:11 p.m. Mr. LoPiccolo's review was started on November 26, 2012 and continued to this date. Rob Hopper arrived at 2:11 p.m. and left at 2:50 p.m. The meeting concluded at 2:59 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

CONSIDER THE SALE OF SURPLUS PROPERTY

The Board met today at 3:03 p.m. to consider the sale of surplus property. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Deputy P.A. Brad Goodsell, Treasurer Tracie Lloyd and Deputy Clerk Claudia Amaral. Brad Goodsell said the County acquired this property by tax deed two years ago. The property has been put back up for auction tomorrow; however, the previous owner has come in and paid for the property. He wishes to

purchase the property back as his redemption rights are gone. Tracie Lloyd said she has a bankable check. Commissioner Rule had a concern that this isn't the typical way this is handled. Concerned that this would cause the county to be exposed to other actions we might take or not take in the future. Mr. Goodsell said this is totally within the law. The Commissioners have the ability to sell this property at any time since it went to auction a year ago. He could have come in and done this before now but instead he waited to the last minute probably when he received the notice that we were going to sell his property at auction. It's perfectly acceptable to do this if the Board would find it in the best interest of the county. Commissioner Rule also said the county doesn't want to take anyone's property. Commissioner Rule made motion to sign the resolution authorizing a quit claim deed of parcel number #13244000 0 to Anthony D. Rodriguez. Commissioner Alder seconded the motion and the motion passed by all. Resolution #12-233 is on file in this day's minutes along with the Quit Claim Deed, Instrument #2012-053984. The meeting concluded at 3:10 p.m. An audio recording is on file in the Commissioners Office.

FIFTEENTH DAY OF NOVEMBER TERM, A.D., 2012
CALDWELL, IDAHO DECEMBER 4, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
 Commissioner Steve Rule
 Commissioner Kathy Alder
 Deputy Clerks Monica Reeves and Claudia Amaral

FILED RECERTIFICATION APPROVAL OF THE PICKLES BUTTE SANITARY
LANDFILL MANUAL

The Board filed the Recertification Approval of the Pickles Butte Sanitary Landfill Manual.

FILED MONTHLY TREASURER'S REPORT FOR AUGUST 2012

The Board filed the Monthly Treasurer's Report for August 2012.

EXECUTIVE SESSION - PERSONNEL MATTER; RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND POSSIBLE LITIGATION

Note for the record: As properly noticed the Board met today at 9:09 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter, pending litigation matter and records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Rule made a motion to go into Executive Session at 9:09 a.m. pursuant to Idaho Code, Section 67-2345(1) (b) (d) and (f). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder, Rule and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Deputy P.A. Zach Wesley and Deputy Clerk Claudia Amaral. The meeting concluded at 9:29 a.m. with no decision in open meeting. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

SURPLUS PROPERTY AUCTION

The Board held a surplus property auction on December 4, 2012 at 10:00 a.m. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Deputy P.A. Brad Goodsell, Treasurer Tracie Lloyd, Tonya Weyand, Treasurer's Office, Interested parties and Deputy Clerk Claudia Amaral. Commissioner Ferdinand said these have to be paid by 3:00 p.m. today. The sale was held as follows:

PARCEL NO. 1

Account No.: 01253000 0

Site Address: 1608 Arthur Street, Caldwell

Former Owner: Deborah L. Spies

Minimum Bid: \$7,116.00

SOLD FOR: \$12,000 to Eric Bowen (Antelope Property Holdings, Inc.)

PARCEL NO. 2

Account No.: 02242000 0

Site Address: 0 Plymouth Street, Caldwell

Former Owner: Christopher Daniel Austin

Minimum Bid: \$7,727.00

SOLD FOR: \$7,727.00 (did not sell at auction but was sold after to Cason Bowen per Treasurer's Office)

PARCEL NO. 3

Account No.: 03577010 0

Site Address: 0 Wyoming Avenue, Caldwell

Former Owner: Timothy Michael Calascione

Minimum Bid: \$386.00

SOLD FOR: \$900.00 to Stephanie Pope (Topside Property)

PARCEL NO. 4

Account No.: 04218010 0

Site Address: 1000 N. Illinois Avenue, Caldwell

Former Owner: Alice Estrada Rodriguez

Minimum Bid: \$1,152.00

SOLD FOR: \$NO BID

PARCEL NO. 5

Account No.: 04432000 0

Site Address: 0 North Montana Avenue, Caldwell

Former Owner: Douglas J. Ivey

Minimum Bid: \$5,210.00

SOLD FOR: \$REDEEMED

PARCEL NO. 6

Account No.: 04433000 0

Site Address: 2306 N. Montana Avenue, Caldwell

Former Owner: Douglas J. Ivey

Minimum Bid: \$9,550.00

SOLD FOR: REDEEMED

PARCEL NO. 7

Account No.: 07631000 0

Site Address: 811 6th Street South, Nampa

Former Owner: Clyde W. Davis

Minimum Bid: \$9,046.00

SOLD FOR: \$39,000.00 to Simon DeJong

PARCEL NO. 8

Account No.: 10848000 0

Site Address: 323 South Fern Street, Nampa

Former Owner: Toni Jensen

Minimum Bid: \$7,331.00

SOLD FOR: \$33,000.00 to Linda Lake

PARCEL NO. 9

Account No.: 12981000 0

Site Address: 1115 11th Avenue North, Nampa

Former Owner: Everette E. Studer

Minimum Bid: \$11,172.00

SOLD FOR: \$30,000 to Tanya Sholotyuk

PARCEL NO. 10

Account No.: 13244000 0

Site Address: 1704 1st Street South, Nampa

Former Owner: Canyon County (Previous Antonio Rodriguez property)

Minimum Bid: \$10,880.00

SOLD FOR: REDEEMED

PARCEL NO. 11

Account No.: 13592000 0

Site Address: 1312 4th Street South, Nampa

Former Owner: R R Development Services, LLC

Minimum Bid: \$6,793.00

SOLD FOR: REDEEMED

PARCEL NO. 12

Account No.: 14285520 0

Site Address: 423 Silgan Way, Nampa

Former Owner: Rainier, LLC

Minimum Bid: \$9,299.00

SOLD FOR: \$9,299.00 to John Starr

PARCEL NO. 13

Account No.: 14285615B0

Site Address: 0 19th Avenue North, Nampa

Former Owner: Canyon County (Previous Stark Property)

Minimum Bid: \$257.00

SOLD FOR: \$257.00 to Michael Smith

PARCEL NO. 14

Account No.: 14510520 0

Site Address: 112 North Poplar Street, Nampa

Former Owner: Weaver, Carson L., Vickey Zuckschwerdt

Minimum Bid: \$7,374.00

SOLD FOR: \$ RESCINDED

PARCEL NO. 15

Account No.: 15823000 0

Site Address: 1511 10th Street South, Nampa

Former Owner: Brent W. Donohue

Minimum Bid: \$7,225.00

SOLD FOR: \$7,225.00 to Cason Bowen

PARCEL NO. 16

Account No.: 16918000 0

Site Address: 1719 18th Avenue North, Nampa

Former Owner: Albert Leon Blaser

Minimum Bid: \$2,800.00

SOLD FOR: \$2,800.00 to John Starr

PARCEL NO. 17

Account No.: 19944000 0

Site Address: 308 5th Street, Wilder

Former Owner: Robert D. Lawrence

Minimum Bid: \$3,194.00

SOLD FOR: \$NO BID

PARCEL NO. 18

Account No.: 22950000 0

Site Address: 1619 South Horton Street, Nampa

Former Owner: Fortin Development, LLC

Minimum Bid: \$33.00

SOLD FOR: \$33.00 to Lucien Brinkerhoff

PARCEL NO. 19

Account No.: 23358500B0

Site Address: 0 South Kimball Avenue, Caldwell

Former Owner: Kieth C. Bradshaw, Jr.

Minimum Bid: \$43.00

SOLD FOR: \$43.00 to Dave McKay

PARCEL NO. 20

Account No.: 25068015 0

Site Address: 0 Rocky Road, Parma

Former Owner: Earl E. Darr

Minimum Bid: \$1,700.00

SOLD FOR: \$1,700.00 to Richard Pierce

PARCEL NO. 21

Account No.: 29091131A0

Site Address: 0 South Avondale Avenue, Nampa

Former Owner: Eugene R. Buffington

Minimum Bid: \$737.00

SOLD FOR: \$737.00 to Dail L. Bruderer

PARCEL NO. 22

Account No.: 29499010B0

Site Address: 2215 East Locust Lane, Nampa

Former Owner: Antonio Acevedo

Minimum Bid: \$2,757.00

SOLD FOR: \$REDEEMED

PARCEL NO. 23

Account No.: 30157010 0

Site Address: Deerflat Road, Caldwell

Former Owner: Benjamin F. Canterbury

Minimum Bid: \$545.00

SOLD FOR: \$NO BID

PARCEL NO. 24

Account No.: 30167010 0

Site Address: 0 Deerflat Road, Caldwell

Former Owner: Louise Bledsoe

Minimum Bid: \$847.00

SOLD FOR: \$NO BID

PARCEL NO. 25

Account No.: 31260000 0

Site Address: 0 6th Street North, Nampa

Former Owner: Donald W. Coates

Minimum Bid: \$1,678

SOLD FOR: \$NO BID

PARCEL NO. 26

Account No.: 32083011 0

Site Address: 0 Greenhurst Road, Nampa

Former Owner: Ray Kinney

Minimum Bid: \$2,356.00

SOLD FOR: NO BID

PARCEL NO. 27

Account No.: 35312011 0

Site Address: 0 East Chicago Street, Caldwell

Former Owner: Tim Yourin

Minimum Bid: \$5,121.00

SOLD FOR: \$NO BID (sold after auction to Cason Bowen for \$5,121.00 per Treasurer's Office)

PARCEL NO. 28

Account No.: 37136000 0

Site Address: Middle Road, Wilder

Former Owner: Alta M. Meyers

Minimum Bid: \$1,345.00

SOLD FOR: \$6,000.00 to Katrina Ragan

PARCEL NO. 29

Account No.: 37577012A0

Site Address: 0 Willis Road, Middleton

Former Owner: DH Dev, LLC

Minimum Bid: \$141.00

SOLD FOR: \$141.00 to Shannon Taylor

PARCEL NO. 30

Account No.: 39139010M0

Site Address: 0 Pet Lane, Parma

Former Owner: Liquidation Properties, Inc.

Minimum Bid: \$14.00

SOLD FOR: \$500.00 to Story Farms, Inc.

Copies of the quitclaim deeds of properties that were sold at the auction are on file in this day's minutes. The auction concluded at 11:04 a.m. An audio recording is on file in the Commissioners Office.

TERMS: The terms of the sale are cash on the date of sale. Certified checks or cashier's checks are considered as cash. The property is sold on an as-is basis and any conveyance shall be by quitclaim deed without any warranty or covenant of any kind and subject to any mortgages, liens and assessments pursuant to Idaho Code, Section 63-1009. Canyon County reserves the right to reject any and all bids.

CONSIDER SIGNING FIRST AMENDMENT TO MOU BETWEEN IDAHO POWER, BLM AND COOPERATING AGENCIES FOR PREPARATION OF ENVIRONMENTAL IMPACT STATEMENT FOR BOARDMAN-HEMENWAY PROJECT

The Board met today at 1:50 p.m. to consider signing First Amendment to the Mou between Idaho Power, BLM and Cooperating Agencies for the Preparation of the Environmental Impact Statement for the Boardman-Hemenway Project. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Deputy P.A. Zach Wesley and Deputy Clerk Claudia Amaral. Commissioner Rule said this won't cut through prime farm ground. Upon the motion of Commissioner Rule, and the second by Commissioner Alder, the Board voted unanimously to sign Agreement #12-154. Commissioner Alder said we are willing to cooperate and work together. Zach Wesley said this agreement

extends a previous agreement for two years. The meeting concluded at 1:56 p.m. An audio recording is on file in the Commissioners Office.

REZONE HEARING FOR RICHARD DEGITZ

As scheduled, the Board met today for a rezone hearing for Richard Degitz. Mr. Degitz is requesting a rezone of approximately 8.76 acres from an "A" (Agricultural) zone to a "R-R" (Rural Residential) zone. The subject property is located at 24796 Middleton Road, Middleton Idaho, in the NW ¼ of Section 32, T5N, R2W, BM. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, DSD Director Kevin LoPiccolo, Jennifer Almeida, DSD Planner, Carl Porter with Sawtooth Land Survey and Deputy Clerk Claudia Amaral. Jennifer Almeida gave the oral staff report and said the property is currently zoned ag and in a flood plain. There is one residential structure on the property and there are four lots. The northwest corner of the property is out of the flood plain. Carl Porter gave testimony in support of the project. He said everything has been taken out of the floodplain per FEMA. Commissioner Alder asked what the proposal of developing this property is. Mr. Porter said he isn't sure but did say Mr. Degitz did have one buyer interested if they get the property developed. Upon the motion of Commissioner Rule and the second by Commissioner Alder, the Board voted unanimously to close public testimony. Commissioner Alder made a motion to remove the word "more" from the Findings and that it be stated that the proposed zone fits the comprehensive plan. Commissioner Rule seconded the motion. Commissioner Rule rescinded his second on the motion until Commissioner Alder is clear on her motion. Commissioner Ferdinand restated the motion, "to approve the request to change 8.76 acres from an "A" agricultural to an "R-R" (Rural Residential) and in the Findings of Facts and Conclusions, Law and Order, that the word "more" be removed, proposed would be changed so that the spirit of the appropriateness of the language is what was being stated." Commissioner Rule seconded the motion and the motion passed unanimously. The meeting concluded at 2:27 p.m. An audio recording is on file in the Commissioners Office. The Findings are on file in this day's minutes.

SIXTEENTH DAY OF NOVEMBER TERM, A.D., 2012
CALDWELL, IDAHO DECEMBER 5, 2012

All Commissioners attending ATI Taxpayers Conference in Boise.

SEVENTEENTH DAY OF NOVEMBER TERM, A.D., 2012
CALDWELL, IDAHO DECEMBER 6, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
 Commissioner Steve Rule
 Commissioner Kathy Alder
 Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED PERSONNEL FORM

The Board signed the following personnel form for: Kimberly Main.

EXECUTIVE SESSION - PENDING LITIGATION MATTER AND RECORDS
EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 9:02 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a pending litigation matter, a personnel matter, and records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Alder made a motion to go into Executive Session at 9:02 a.m. pursuant to Idaho Code, Section 67-2345(1) (b), (d) and (f). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Alder, Rule and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom, Deputy P.A. Mike Porter, and Deputy Clerk Monica Reeves. The

Executive Session concluded at 10:02 a.m. with no decision being called for in open session.

CONSIDER SIGNING PROCLAMATION FOR WORLD WAR II VETERAN DELBERT PIERCE

The Board met today at 10:04 a.m. to consider signing a proclamation for World War II Veteran Delbert Pierce. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Lt. Colonel Earl Smith (Retired), and Deputy Clerk Monica Reeves. Members from the Idaho National Guard contacted the Commissioners' Office a couple of weeks ago and requested the Board consider a proclamation for Mr. Pierce who was drafted into the United States Army in 1941 and subsequently received several awards for his service. Following the reading of the proclamation, Commissioner Alder made a motion to sign the proclamation recognizing and offering gratitude to Delbert Pierce for his service during World War II. The motion was seconded by Commissioner Rule and carried unanimously. The signed proclamation is on file with this day's minute entry. The meeting concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

BIWEEKLY MEETING WITH THE CHIEF PROBATION OFFICER TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION; AND CONSIDER SIGNING JUVENILE JUSTICE ANNUAL FINANCIAL REPORT

The Board met today at 10:09 a.m. for a biweekly meeting with the Chief Probation Officer to discuss general issues, set policy, and give direction, and to consider signing the juvenile justice annual financial report. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Chief Probation Officer Elda Catalano, and Deputy Clerk Monica Reeves. Ms. Catalano presented the Board with the financial report that was prepared by the Auditor's Office. Upon the motion of Commissioner Rule and the second by Commissioner Alder, the Board voted unanimously to sign the juvenile justice annual financial report, which is on file with this day's minute entry. Following the signing, Ms. Catalano gave a departmental report. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:18 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

EIGHTEENTH DAY OF NOVEMBER TERM, A.D., 2012
CALDWELL, IDAHO

DECEMBER 7, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
Commissioner Steve Rule
Commissioner Kathy Alder
Deputy Clerks Monica Reeves and Claudia Amaral

CONSIDER SIGNING LEGAL NOTICE REQUESTING STATEMENTS OF
QUALIFICATION AND REQUEST FOR QUALIFICATIONS (RFQ) FOR
DESIGN/BUILD SERVICES FOR THE CANYON COUNTY ADMINISTRATION
BUILDING PROJECT

The Board met today at 10:14 a.m. to consider signing a legal notice requesting statements of qualification and Request for Qualifications (RFQ) for design/build services for the Canyon County Administration Building Project. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Chief Civil Deputy P.A. Sam Laugheed, Facilities Manager Paul Navarro, Deputy P.A. Zach Wesley, Clerk Chris Yamamoto, Captain Craig Hanson, and Deputy Clerk Monica Reeves. Carl Ericson, a visitor, was also present. Sam Laugheed reviewed the RFQ. We intend to qualify the applicants and establish a ranking of them based on criteria. It's a lengthy process that's designed to evaluate the qualifications of the design build teams. Paul Navarro spoke about the review process. The Board has determined the \$7.9 million sum contemplated by the feasibility study to be unacceptable. The purpose of the RFQ is to see if anyone can build the facility for \$6.5 million. The project is exploratory at this point. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the legal notice requesting statements of qualification and the Request for Qualifications for design/build services for the Canyon County Administration Building Project. The signed documents are on file with this day's minute entry. The meeting concluded at 10:24 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER ORDINANCE DIRECTING AMENDMENTS TO THE CANYON COUNTY ZONING MAP REGARDING THE REZONE FOR RICHARD DEGITZ

The Board met today at 10:24 a.m. to consider an ordinance directing amendments to the Canyon County Zoning Map regarding the request by Richard Degitz to rezone his property from an "A" (Agricultural) Zone to an "R-R" (Rural-Residential) Zone for Parcel No. 37591. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Carl Ericson from ICRMP, and Deputy Clerk Monica Reeves. The Board previously approved the rezone request at a public hearing held on December 4, 2012 for property located at 24796 Middleton Road in Middleton. Upon the motion of Commissioner Rule and the second by Commissioner Alder, the Board voted unanimously to approve the ordinance, No. 12-020, for Richard Degitz. The meeting concluded at 10:24 a.m. While still on the record, Chief Civil Deputy P.A. Sam Laugheed asked the Board to add an Executive Session for the purpose of attorney-client communication issues about imminently pending litigation and documents exempt from disclosure. The Executive Session was held as follows:

EXECUTIVE SESSION - PERSONNEL MATTER, LITIGATION MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Rule made a motion to go into Executive Session at 10:25 a.m. pursuant to Idaho Code, Section 67-2345(1) (b), (d) and (f). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder, Rule and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Deputy P.A. Zach Wesley, Carl Ericson from ICRMP, and Deputy Clerk Monica Reeves. (Mr. Laugheed was not present for the Executive Session.) The Executive Session concluded at 10:41 a.m. with no decision being called for in open session.

An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

COMMISSIONER NOVEMBER TERM ADJOURNED

At the conclusion of the day's official business, the Board adjourned the November Commissioner Term.

THE MINUTES OF THE FISCAL TERM OF NOVEMBER 2012 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

APPROVED: Commissioner David J. Ferdinand, II, Chairman

Commissioner Steven J. Rule

Commissioner Kathy Alder

ATTEST: Chris Yamamoto, Claudia Amaral
Clerk Deputy

DATE: 1-8-13