

**MINUTES
OF THE REGULAR BOARD MEETING OF THE
WESTERN ELMORE COUNTY RECREATION DISTRICT
APRIL 28, 2010-11:30 A.M.**

DIRECTORS PRESENT: Marsha Sellers
Mollie Marsh
Jana Borgholthaus (by speaker phone)

ATTORNEY: Brian Peterson

PUBLIC LIAISON: Betty Ashcraft

OFFICE ASSISTANT: Beth Reed

TREASURER: Judy Erwin

GUESTS: John Neely
Craig Hoyt (Varietus Creative Services)
Rusty Rebillet (Varietus Creative Services)

Before the meeting opened, Office Assistant Beth Reed informed the Board that the agenda needed to be amended to include the YMCA bill of \$7,047.31 that came in after the agenda was posted. This brought the total current bills to \$16,290.09. President Sellers moved to amend the agenda to include the YMCA bill. Motion was seconded by Director Marsh. Motion passed.

The regular monthly meeting of the Board of Directors of the Western Elmore County Recreation District was called to order by Board President Marsha Sellers at 11:35 a.m. on April 28, 2010.

I. Quorum

Director Sellers established that there was a quorum with director Mollie Marsh and herself present. (Director Borgholthaus joined the meeting later by speaker phone).

II. Consent Agenda

The items in the Consent Agenda included the following:

A. Minutes: Regular Board Meeting of March 24th, Special Board Meeting of March 30th, Special Board Meeting April 8th.

B. Treasurer's Report: 4-22-10

C. Current bills: the total current bills totaling \$16,290.09.

President Sellers moved to approve the Consent Agenda. Motion was seconded by Director Marsh. Motion passed.

III. Reports

A. Treasurer: Director Marsh explained for the record the reason why there was still an outstanding bill of \$5,000 from Olson and Associates that was on the current bills. Stan Olson had been contracted in 2006 to perform \$15,000 worth of architectural work for the district. In 2008, the WECRD paid him \$10,000, which left an outstanding balance of \$5,000 (see Atach 1).

1. Funds Transfer: Judy Erwin reported that amounts of \$250,000 have been invested with four local banks, thereby exhausting the availability of investing funds with any more Mountain Home banks. The rest of the funds must be invested in at least two more banks in Boise. A motion was made by President Sellers that the WECRD accept Sterling and Washington Federal Banks as depository units. Motion was seconded by Director Marsh. Motion carried. (see Atach 2).
2. Budget Hearing: Ms. Erwin reported that the date of FY 10-11 Budget Hearing must be turned in to County Clerk. President Sellers moved that the proposed FY2010/FY2011 Budget Hearing be held on August 25th at 6:00 p.m. Director Marsh seconded the motion. Motion carried. President Sellers announced that Budget talks will begin with a Special Meeting sometime in May. The Budget Hearing will be on the Board Meeting Agendas for the next four months under Treasurer's Report.

B. Legal: Attorney Brian Peterson addressed the Board with three issues to discuss: website contract, land-lease agreement and the election contract (see attach 3).

1. Website contract: after reviewing specific portions of previous board meeting minutes, Mr. Peterson felt that President Sellers did have the authority to enter into a contract with Varietus Creative Services. He acknowledged that no specific motion had been made to enter into a contract with Varietus. The previous motions to move the website offsite and locate a company to host and manage the website, in his estimation, gave President Sellers the authority to enter into a contract. He said he had not reviewed the Varietus contract, but nothing in the legal contract between the WECRD and his law firm required him to do so. He also noted the other two directors had not reviewed the contract. His estimation is that the WECRD can and should make this contract valid and move forward with it.

2. Land-Lease: Mr. Peterson said he spoke to Linda Lord about renewing the lease agreement. She said she is waiting to see whether they will be able to use the Corbus property irrigation for the land. She will know by May 1st if they will be able to. Director Marsh moved that the WECRD send out a “demand for possession” letter on the farm land to former lessee by the end of May 2010. President Sellers seconded the motion. Motion carried. Mr. Peterson will send out this letter by required date. He recommended waiting to see what the Lord’s say about the irrigation issue. He noted that if the Lords stay on the property longer than sixty days past the termination of the former lease then this would be considered a situation for a new contract to be issued. If the Lords don’t sign this new contract, they can be legally evicted from the property. This will be on the agenda for the May 26th Board Meeting.
3. Election Contract: Mr. Peterson said that, according to state statutes, an election officer must be hired as an employee of the WECRD, rather than a contract person. He said an alternative would be to hire the county clerk to do our election. Ms. Erwin responded that Marsa Plummer, the county clerk, has refused to do this. Mr. Peterson said that he will speak with her and request that she reconsider. He noted that, after January 2011, the state statute says that all elections must be performed by the county elections office. As for this year’s elections, Mr. Peterson said that if the county clerk again refuses to do our election, we will have to hire someone. Since Director Marsh is in charge of Elections under the Review of Responsibilities document, she will be handling this issue and coordinating with Mr. Peterson.

C. Technical

1. John Neely’s resignation: President Sellers declared that Mr. Neely will still help the WECRD staff with technical issues until a new replacement is hired. Mr. Neely will help prepare a Technical Assistant Job Description to guide us in finding a replacement. President Sellers said the office assistant will actively pursue obtaining resumes and references from potential technical people.
2. Varietus Presentation: a motion was made by President Sellers that Varietus Creative Services design and develop an off-site website for \$700. Motion was seconded by Director Marsh. Motion carried. A motion was made by President Sellers that the WECRD enter into contract with Varietus Creative Services to host and maintain our website with legal advice. Motion seconded by Director Sellers. Motion carried. President Sellers will be point-of-contact for the website. She said that this website needs to go ‘live’ ASAP. At this point, Craig Hoyt and Rusty Rebillet from Varietus gave a synopsis of their company and what they could offer us with their services. They gave a demonstration of what they had done with our new website. After their presentation was over, they took questions from the audience.

IV. Public Comment Regarding Agenda Items: the only comments from the public came after the Varietus presentation and these comments pertained to the website.

V. Continuing Business

A. Review of Responsibilities: the Review of Responsibilities document was reviewed and several changes were made. (See Attach 4) The name of each contract laborer will be added. The revised document will be reviewed at the May Board meeting and eventually added to the website.

B. YMCA: Director Borgholthaus got on speaker phone and said there was nothing new to report.

C. Federal Appropriations/Responsible Entity: Public Liaison Betty Ashcraft reported that the WECRD is in the last steps of the process for receiving environmental approval of our property. She received an Environmental Studies letter from Sara Jensen of HUD (see attach 5), which requires the WECRD choose one of the two options listed in the letter in order for HUD to complete the environmental study. President Sellers moved that the WECRD accept Option 1 of the Environmental Assessment presented by Sara Jensen, HUD Field Office, Seattle. Motion was seconded by Director Borgholthaus. Motion carried. Ms. Ashcraft explained the difference between HUD and Federal Appropriations. She said that HUD is the responsible entity for our Federal Appropriations funds. Ms. Ashcraft said no decision has been made on our Appropriations request for 2010. She also reported that there is a moratorium on earmark requests for 2011. President Sellers responded that we have withdrawn our Federal Appropriations application for FY2011 so it is a moot point, and all appropriate offices have been notified of our withdrawal. Ms. Ashcraft said that the application for FY12 is due by February 2011. A decision will have to be made on whether to pursue the FY12 Appropriations funding. This will be on the agenda for the May board meeting.

D. Let's Play: Director Marsh reported that she would eventually like to have team

E. schedules, sports events etc. of "Let's Play" recipients on the website.

F. Annexation: President Sellers reported that she and Ms. Reed will be at the Planning and Zoning meeting May 3rd. She explained the rationale for requesting annexation. Ms. Ashcraft will obtain a copy of the Planning and Zoning Agreement with the County before the Hearing.

G. Hiring of Secretary: Ms. Reed reported that 29 applicants from Job Service had applied for the Secretary position. She is maintaining the resumes for one year, and has notified all the applicants by e-mail of that fact. President Sellers wants to maintain a "wait and see" approach to filling this position as Ms. Reed has cross-trained to fill secretarial duties in the interim. Ms. Sellers said that the option to

hire a third person for the office will stay open and she would exercise that option if the district becomes busier and present staff gets overextended.

- H. Extreme Challenge: this was tabled for the May meeting.
- I. Parks and Rec. Sponsorship Request: a motion was made by Director Marsh that the WECRD sponsor the Summer Concert Series for \$95.00. Motion was seconded by President Sellers. Motion carried.
- J. Sign: a motion was made by President Sellers that the WECRD spend up to \$250.00 to update sign on property. Motion was seconded by Director Marsh. Motion carried.

VI. New Business

- A. FY2011 Budget: Director Marsh said they would have to study her papers from last year's budget and develop a timeline for this year's budget. President Sellers said there would be multiple meetings on this.
- B. Children's Health Fair: a motion was made by President Sellers that Director Marsh be the point of contact board member for the Children's Health Fair booth on June 19th from 10:00 – 2:00 p.m. and the WECRD will pay entrance booth fees. Motion was seconded by Director Marsh. Motion carried.
- C. AFAD: a motion was made by Director Marsh that the WECRD reserve two spaces and electricity for AFAD and Director Borgholthaus will work with the staff to get arrangements made. Motion was seconded by President Sellers. Motion carried.

VII. Public Comment Period on Non-Agenda Items: John Neely addressed the board.

VIII. General Discussion: there was no discussion.

IX. Adjournment

President Sellers made a motion to adjourn the meeting. Director Marsh seconded the motion. Meeting adjourned at 2:45 p.m.

Office Assistant

5 Attachments

- 1. Apr 23, 2010 Financial Report
- 2. Bank Rates 2010
- 3. Peterson e-mail, Legal Issues
- 4. Review of Responsibilities Chart
- 5. HUD Environmental Studies Ltr

APPROVED:

as written

as amended

SIGNATURE

DATE

as amended

5. HUD Environmental Studies Ltr as written
