

**MINUTES**  
**SPECIAL BOARD MEETING**  
**WESTERN ELMORE COUNTY RECREATION DISTRICT (WECRD)**  
**245 East 6<sup>th</sup> South, Mountain Home, ID 83647**  
**February 21, 2018 at 4:00 PM**

**I. CALL MEETING TO ORDER/ ESTABLISH QUORUM**

Director Gillies called the meeting to order at 3:59PM. A quorum was established with all Directors present.

The following individuals were present:

President: Dan Gillies  
Vice-president: Lee Pierce  
Director: Doug Meyer (By phone)  
Legal: Phil Miller  
Administrator: Tarl Smith  
Betty Ashcraft  
Jenna Crowe

**II. EXECUTIVE SESSION**

**In accordance with Idaho Code §74-206(1)(f) to communicate with legal counsel regarding pending/imminently-likely litigation.**

**1. AND THE VOTE TO DO SO BY ROLL CALL:**

	YES	NO	ABSTAIN
Dan Gillies , President	<u>  X  </u>	<u>      </u>	<u>      </u>
Lee Pierce, Director	<u>  X  </u>	<u>      </u>	<u>      </u>
Doug Meyer, Director	<u>  X  </u>	<u>      </u>	<u>      </u>

2. Executive Session convened at 4:02M and the meeting reconvened at 4:26PM. The Executive Session was a general discussion concerning C-2 Construction and no decision was made.

3. Phil Miller stated that in accordance with the injunction, a joint facility is a combination of the facility and the improvements, so the dugout is not a ‘facility’ by definition, as the field is the actual facility. In order for the WECRD to be able to legally pay for the work that has been done, the WECRD would need to have joint ownership of the field, including the dugout improvement. The WECRD does not necessarily want to own or share ownership and management of the field. Phil Miller stated that if C-2 Construction does pursue legal action, the WECRD would state that it entered into the contract illegally.

4. Director Pierce made a motion to authorize Phil Miller to inform Egusquiza Law of the intentions of the WECRD to not make payment, as it would be an unlawful violation of the permanent injunction. The motion was seconded by Director Meyer. All Directors voted in favor of the motion.

**III. RAILROAD PARK**

1. Phil Miller cited Idaho statute, stating that the WECRD can lease or sell property without an auction.
  
2. Director Pierce stated that he was looking to recover the cost of what the WECRD had put into Railroad Park and the other Directors concurred. Director Pierce stated that the Urban Renewal Agency (URA) was considering the possible purchase of the park and had asked for 120 day extension of the fencing covenant. Director Gillies stated that the WECRD has not received a commitment from the URA. Director Pierce stated that a short term lease may be an option in the meantime, while the URA considers the purchase, as the park will begin to be used in the near future.
  
3. Director Pierce stated that if the WECRD installed a fence, it will be the lowest cost fence option that meets the covenant, but that the URA would probably want a more aesthetically pleasing and more costly fencing option and that in short, the WECRD is desiring the shortest possible lease with no cost exchange for the WECRD.

**IV. ADJOURN**

1. Director Pierce made a motion to adjourn the meeting. Director Meyer seconded the motion. All Directors voted in favor of adjournment. The meeting was adjourned at 4:22PM.

Submitted by:

\_\_\_\_\_  
 Tarl Smith, Administrator

\_\_\_\_\_  
 Date

APPROVED:                      as written              as amended

\_\_\_\_\_  
 Dan Gillies, President

\_\_\_\_\_  
 Date