

**MINUTES**  
**REGULAR BOARD MEETING**  
**WESTERN ELMORE COUNTY RECREATION DISTRICT (WECRD)**  
**245 East 6<sup>th</sup> South, Mountain Home, ID 83647**  
**September 20, 2017 at 6:00PM**

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

1. Cherese McLain called the meeting to order at 6:02 PM and a quorum was established with all directors present. The following individuals were present:

President: Art Nelson  
Secretary/Director: Judy Mayne  
Director: David Kellerman  
Treasurer: Judy Erwin  
Administrator: Tarl Smith  
Legal: Cherese McLain  
Engineer: Amy Woodruff

2. Director Nelson made a motion to amend the agenda to include an Executive Session as item number eleven, pursuant to Idaho Code 74-206 (f) to discuss pending litigation. Judy Mayne seconded the motion and all directors voted in favor of the motion.

**II. CONSENT AGENDA**

1. Approval of minutes dated August 16, 2017, (Budget Hearing and RBM) and September 5, 2017
2. Approval of Treasurer's report dated September 14, 2017
3. Approval of bills in the amount of \$20,572.71

4. Director Art Nelson made a motion to approve the consent agenda. Director Mayne seconded the motion. The motion carried with all board members voting in favor of approving the consent agenda.

**III. TREASURER**

1. Treasurer Judy Erwin stated that the requested EIN changes have been made by the IRS and the WECRD is awaiting the confirmation letters, which will allow funds to be transferred under those EINs. Judy Erwin suggested that we keep First Interstate as a depository in the interim.

2. Director Nelson moved that the WECRD keep First Interstate as a depository. Director Kellerman seconded the motion. All board members voted in favor.

3. Cherese McLain suggested that she work with the treasurer to provide the WECRD with a resolution for First Interstate as a depository and include all of the financial institutions that the WECRD is working with to the next meeting's agenda. Tarl Smith will add that to the next meeting's agenda.

Judy Erwin stated that after the end of the fiscal year she will initiate the audit for the fiscal year.

#### **IV. NEW BUSINESS**

1. Director Nelson proposed that the WECRD may be able to provide pool scholarships or a day of free swimming paid for by the WECRD. Director Kellerman asked whether this was an option from a legal standpoint. Cheresse McLain stated that she would have to look into the matter and that the possibility of opening up the pool to the community may be an option.

#### **V. ADMINISTRATOR**

1. Tarl Smith explained that the list of items proposed for the sound system is essentially the same as what was proposed in a previous meeting, with some substitutions because of stock availability. He stated that current sound setup is not suited well to recording meetings and does not include enough microphones or inputs for microphones to record all board members, staff and public commentators. He further stated that with the purchase of the proposed equipment, the WECRD should be well equipped for many years to come.

2. Director Kellerman made a motion to approve \$1,701.69 for the sound system purchase. Director Nelson seconded the motion and the motion carried.

#### **VI. ENGINEER UPDATES**

1. Amy Woodruff reviewed the FEMA floodplain study and outlined the current progress. The FEMA floodplain study is being finished by GeoEngineers and Ryan Carnie and could be done as early as next week. She suggested that the directors, Cheresse McLain and herself get together when the draft study is complete to review the findings, before finalizing. Part of that finalization will be coordinating with the City of Mountain Home to review the findings.

2. A draft of the Railroad Park Phase I Environmental Study was recently completed and a copy of the lengthy study was received by the WECRD. Director Nelson remarked that he noticed that the report stated an off-site vapor transmission as a 'recognized environmental concern', (REC) which essentially means that as long as the WECRD is not planning on building, the migration of this environmental concerns will not be an issue. If construction was to be considered, further testing would be needed. This report covers an evaluation of uses for the property in the past. Amy Woodruff stated that she would like to see the watermark removed and the report finalized. Cheresse McLain stated that she will provide a copy of the report to the Union Pacific Railroad when it has been finalized.

3. A record of survey and the descriptions will be submitted to the City of Mountain Home for a lot split. As this is not a plat, it will not require a public hearing as part of the land use process. There are some street incursions on the property, where there is not an official right of way, this includes Jackson Street. City Councilman Rich Urquidi stated that he will look into the matter.

4. The security fence required by the Union Pacific Railroad contract within 60 days of closing will need to be addressed soon and Cheresse McLain suggested that the WECRD look at state pre-approved

contractors for fencing. This would allow the WECRD to bypass the bidding process as the contracts are already approved. It may provide the choice for a lower cost and aesthetically pleasing fence option.

## **VII. LEGAL**

1. Rich Urquidi spoke with the WECRD board concerning the right of way, easements and retention pond for the 18<sup>th</sup> Street project, walking them through the project as outlined in the LOU that was given to the WECRD. The environmental studies have already been completed for this project. Director Nelson raised concerns about the retention pond being put in before the floodplain study is done and whether it was necessary at this time. Judy Mayne asked about the question of liability for the WECRD. Cherese McLain stated that as this is infrastructure, there are ways to ensure that if it would need to be revised or adjusted, it should not fall back on the WECRD to make those changes, including an indemnification by ICRMP.

2. Director Nelson stated that with the floodplain study results coming in soon, there may be more information to be able to make a more educated decision sometime in the near future. Cherese McLain suggested a two week period to review floodplain information and possibly have a special meeting to reconsider the LOU for this project.

## **IX. OLD BUSINESS**

1. Director Kellerman stated that the track is up and running and that the BMX national organization is providing funding and also track building expertise. The starting gate was donated by Caldwell BMX and is not set in concrete yet. There have already been three races, with about 180 participants and three more races scheduled. Director Kellerman asked Rocky Top BMX to procure bids for fencing for the track, a cover and concrete for the gate. This will be addressed further in the next meeting and Director Kellerman will get bids for the board to review further.

2. Director Mayne outlined the contribution that the WECRD could make to the Christmas in the Park activity put on by The City of Mountain Home and the Chamber of Commerce. Judy Mayne conducted research concerning some outdoor Christmas decorations, including toy soldiers, a snowman and a large tree. Art Nelson made a motion to approve the expenditure of \$14,816.00 as this project complies with the WECRD Recreational Expenditure Policy 16-03, 3(b) for eligible funding. Director Kellerman seconded the motion and all directors voted in favor.

## **X. PUBLIC COMMENT**

1. Karen Bird 340 N 11<sup>th</sup> E – Mrs. Bird stated that she does not think that the board spending \$20,000.00 for bills in a month is reasonable.

2. Jim Bird 340 N 11<sup>th</sup> E – Mr. Bird stated that he does not think that the purchase of Christmas decorations fits his idea of equipment and apparatus. He further stated that he felt the board was established to build a facility. Cherese McLain stated that providing recreation and a facility is a dual track of responsibility and that the board is working at great speed to build a facility, while also performing the necessary work in order to do that.

3. Douglas Meyer 1643 NE Summerwind Dr. – Mr. Meyer stated that for the purpose of transparency, the agenda should include an itemized list of what is being spent, not just the total.

**XI. EXECUTIVE SESSION - in accordance with Idaho Code § 74-206(f)-Pending Litigation.**

1. The motion to move to executive session was made by Art Nelson, seconded by David Kellerman. Cherese McLain clarified that this was in reference to the lawsuit of Ashcraft vs. the WECRD. Director Nelson responded in the affirmative. All directors voted in favor of convening the Executive Session:

AND THE VOTE TO DO SO BY ROLL CALL:

	YES	NO	ABSTAIN
Art Nelson , President	<u>  X  </u>	<u>      </u>	<u>      </u>
Judy Mayne, Director	<u>  X  </u>	<u>      </u>	<u>      </u>
David Kellerman, Director	<u>  X  </u>	<u>      </u>	<u>      </u>

2. Executive Session convened at 7:35PM and the meeting reconvened at 8:07 PM. The Executive Session was a general discussion concerning new hearing information and no decision was made.

**XII. ADJOURN**

1. Art Nelson made a motion to adjourn the meeting at 8:08PM and Judy Mayne seconded the motion. All board members voted in favor adjournment.

Submitted by:

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

\_\_\_\_\_  
Date

APPROVED:                      as written

as amended

\_\_\_\_\_  
Art Nelson, President

\_\_\_\_\_  
Date