

**MINUTES**  
**SPECIAL BOARD MEETING**  
**WESTERN ELMORE COUNTY RECREATION DISTRICT (WECRD)**  
**245 East 6<sup>th</sup> South, Mountain Home, ID 83647**  
**July 31, 2020 at 11:00AM**

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

President Dan Gillies called the meeting to order at 11:00AM, and a quorum was established with all Directors present: Dan Gillies, Lee Pierce (via Zoom) and Doug Meyer.

Others in attendance:

Michelle Heins, WECRD Administrator

Judy Erwin, WECRD Treasurer

Larry Ashcraft, Legal Counsel (via Zoom)

Guest: Merla Gillies

**II. NEW BUSINESS**

1. Discussion and decision on the request for an extension to leave construction equipment at Railroad Park by the City of Mountain Home - ACTION ITEM

The WECRD informed the City of Mountain Home on July 17, 2020 that they were in breach of contract for having construction equipment on Railroad Park. Per the agreement dated August 17, 2018:

“7. USE OF PROPERTY. The use of the property shall be for a city park and related recreational activities. The use by the City of the Property shall be managed and controlled by the City in cooperation with the District.”

The WECRD received an email from Mayor Sykes on July 28, 2020 where he asked, “if the Board would grant us an extension from August 12th to September 30th and allow the equipment to remain where it is?”

The City has asked the District for an extension and the WECRD Board will grant the extension but Larry suggested the District have them sign an addendum to cover and liability while their equipment is on our property. Larry can have something Tuesday but thought the District could ask the City to have their attorney write something up. Lee offered to call the Mayor and ask.

Lee Pierce made a motion to go into recess so he could call the Mayor’s office. Doug Meyer seconded motion. All Directors voted in favor of the motion. The motion carries.

Recess began at 11:11AM.

The meeting resumed at 11:16AM..

Lee said after he talked with the Mayor, the City will produce an addendum to the agreement to cover the liability. Lee expressed to him that the District would like it ASAP but no later than August 12, 2020.

***Lee Pierce made a motion that the District will grant permission for the city to store construction equipment and material on Railroad Park until September 30, 2020, provided the City provides to the District a written indemnification, acceptable to the District, whereby the City will indemnify, defend***

*and hold harmless the District from any liability, loss, costs, including legal fees incurred by the district, that may occur as a result of the City and/or any contractor of the City placing said equipment and material on the park. Doug Meyer seconded the motion. All Directors voted in favor of the motion. The motion carries.*

Michelle will follow-up with the Mayor and forward the information once she receives it.

### **III. GENERAL DISCUSSION / PUBLIC COMMENT**

The fence removal is lined up with Green Pastures, LLC and they will contact the District a week before they are ready to begin. When the District has a better idea of when the fence company is coming, Lee would like to know so he can let the company that is removing the current fence get it on their schedule.

Lee wanted to know if there are groups meeting at the building and Michelle said yes some groups have started to come back. He asked if the Boy Scouts are available to meet in our building or if there are any restrictions. According to the policy, the Boy Scouts would fit under a group that can use the building, the only restrictions are for political and religious purposes.

### **IV. ADJOURN**

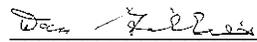
*Doug Meyer made a motion to adjourn. Lee Pierce provided a second. All three directors voted in favor of the motion. The motion passed and the meeting adjourned at 11:44AM.*

Submitted by:

  
\_\_\_\_\_  
Michelle Heins, Administrator

8/26/2020  
Date

APPROVED: as written as amended

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

8/26/2020  
Date