



FIRE & RESCUE DISTRICT

PUBLIC HEARING COMMISSIONER MEETING

July 8, 2024 at 4:00 p.m.

**Station 16
5800 Glenwood**

MINUTES

North Ada County Fire & Rescue District Board of Commissioners did conduct a Public Hearing followed by a regular Commissioner Meeting at 4:00 p.m., Monday, July 8, 2024. The meeting was conducted in compliance with the Idaho Open Meetings Law. The physical meeting site was the conference room at Fire Station 16, located at 5800 Glenwood, Garden City, Idaho.

Call To Order: 4:00 p.m.

Commissioner Roll Call: Commissioners Ramey and Souza were present.

***Approval of Board of Meeting Agenda Notice Postings**

- Report of the agenda notice postings – **Staff**
- Motion to receive agenda notice posting report including meeting room restrictions and teleconference information and set the agenda.

Commissioner Souza made motion to accept the agenda notice posting report including meeting room restrictions and teleconference information and set the agenda. Commissioner Ramey second. No discussion. Roll Call Vote: Ramey (yes), Souza (yes). Motion carried.

***Petition for Annexation Public Hearing (4:01 p.m.)**

- Motion to open the hearing
- This public hearing is being held on the 8th day of July, 2024. Notice was published and posted as per Idaho Code 31-1411

Commissioner Souza made motion to open the Public Hearing. Commissioner Ramey second. No discussion. Commissioner Ramey second. No discussion. Roll Call Vote: Ramey (yes), Souza (yes). Motion carried.

Introduction -- Public Testimony

Anyone wishing to give public testimony did so after giving his/her name and address to the Secretary for the Sign-Up Sheet. Comments were limited to 5 minutes per speaker. The NACFR Board of Fire District Commissioners heard public testimony through oral or written statements.

Hearing: Gibson Petition for Annexation 2024-01

The above entitled matter having come before the Board of Commissioners for public hearing on July 8, 2024 at 4:00 p.m. pursuant to the petition of Charles Gibson (the "Petitioners") for annexation of the below described real property into the North Ada County Fire and Rescue District. The Board first heard a staff report from the District Administrator, who reported that a completed petition for annexation from Petitioners had been received on May 22, 2024, for a total of 173.527 acres, more or less, of the subject real property consisting of 2 parcel(s) of Real Property with the following address: 5125 Bogus Basin Road, Boise, Idaho 83702. Notice of Publication for the hearing was published in the Idaho Statesman (Ada County) on June 27, 2024. The hearing was conducted for the receipt of evidence and the Board then closed the receipt of evidence and testimony and proceeded to deliberation.

Exhibits:

<i>DESCRIPTION OF EVIDENCE</i>		<i>Withdraw</i>	<i>Refused</i>	<i>Admitted</i>
1	Petitioners' Petition for Annexation dated May 22, 2024, including legal description of proposed property, and \$100.00 petition payment			X
2	Property Location Map showing Tax Parcel Numbers of Proposed Property			X
3	Notice of Hearing Petition for Annexation			X
4	Affidavit of publication in Idaho Statesman on June 27, 2024			X
5	Response from Boise Fire Department dated July 3, 2024			X
6	Received Map showing proposed annexation parcels noting contiguity to the NACFR District and Boise City			X
7	Tracking of Application for Annexation			X
8	Letter dated 10-24-18 From Boise Fire Department to Petitioner			X
9	Copy of most current Property Deed			X

Witness Testimony

Those who testified at the July 8, 2024 hearing are as follows, to-wit:

North Ada County Fire and Rescue District Staff: District Administrator presented the Exhibits which were admitted by the Board into the record of this matter. District Administrator also reported that he/she has viewed the subject real property that it is contiguous to the Fire District and serviceable by District personnel and equipment and that it would be in the best interests of the District to annex the subject real property.

Attorney Hethe Clark: Mr. Clark with Clark Wardle presented an Exhibit which was admitted by the Board into the record of this matter. The Exhibit is a letter dated October 24, 2018, from then Boise Assistant Fire Marshal Ron Johnson stating that Boise Fire Department has no objection to annexation and re-zoning of the subject real property. Mr. Clark presented the history of the annexation request and requested a reasonable approach towards annexation of the subject real property.

Boise Fire Department Assistant Chief Romeo Gervais: Commissioner Ramey requested that Chief Gervais address the Building and Construction Requirements of any development of these properties. Chief Gervais stated that if the annexation is approved, specific development and building construction requirements of the International Fire Code, Ada County and the State of Idaho will apply to any development of these properties. This will include, but is not limited to, fire department access and water supply as well as Wildland Urban Interface code.

No one appeared in opposition.

Boise Fire Marshal Mike Bisagno filed a letter with the Fire District advocating that the Fire District not approve the proposed annexation due to the fact that Boise Fire Station #2 would be required to respond to the subject real property in the event of an emergency. Commissioner Ramey did rebut this opposition stating that the Fire District is party to a contract for services "Joint Powers Agreement" with Boise City which requires the City to respond to any emergency within the boundaries of the fire district. Division Chief Romeo Gervais stated that Boise City will serve the JPA contract.

ADA COUNTY ASSESSOR'S PARCEL NUMBER(S):

The above described Real Property is inclusive of:

Parcel No. S0622140000 and **Parcel No. S0623335550** containing 173.527 acres, more or less.

The Subject Real Property is owned by Charles Gibson, who is the Petitioner for Annexation.

The Subject Real Property is located within the County of Ada, state of Idaho.

The Subject Real Property is contiguous to the external boundaries of the North Ada County Fire and Rescue District

The Subject Real Property consists of 173.527 acres, more or less, contiguous to the boundaries of the North Ada County Fire & Rescue District.

The Subject Real Property is not within an incorporated city that has a fire department nor is it within a Rural Fire District.

***Motion to Close Public Hearing: 4:13**

Commissioner Souza made motion to close the Public Hearing. Commissioner Ramey second. No discussion. Roll Call Vote: Ramey (yes), Souza (yes). Motion carried.

***Commissioner Deliberation & Announcement of Preliminary Decision**

Commissioner Souza stated that he drove to the location of the parcels included in the annexation request, and it would be “arbitrary and capricious to the applicant not to annex the parcels”.

Commissioner Ramey agreed with Commissioner Souza stating that it is in the best interest of the District to annex these parcels which are contiguous to the NACFR District.

Commissioner Ramey requested that the Secretary of the District and Attorney Gigray proceed with preparing the Findings of Fact, Conclusion of Law and Order of Annexation. The Findings of Fact, Conclusion of Law and Order of Annexation will be on the Agenda for consideration and approval at the next Commissioner meeting.

Call To Order Regular Commissioner Meeting: 4:24 p.m.

Commissioner Roll Call: Commissioners Ramey and Souza are present.

BUSINESS

***Motion to Approve:**

**Commissioner Meeting Minutes dated June 10, 2024
Workshop Minutes dated June 17, 2024.**

Commissioner Souza made motion to approve the minutes dated June 10, 2024 and June 17, 2024. Commissioner Ramey second. No discussion. Roll Call Vote: Ramey (yes), Souza (yes). Motion carried.

*** Motion to Approve the Check List dated July 8, 2024.**

Commissioner Ramey asked DA Vaughan if there is anything of note on the monthly check list. DA Vaughan stated that the check list contains a Q4 payment to Eagle Fire Department for the FY23-24 Joint Powers Agreement. Commissioner Souza made motion to approve the check list dated July 8, 2024. Commissioner Ramey second. No discussion. Roll Call Vote: Ramey (yes), Souza (yes). Motion carried.

Eagle Fire District Report – Div. Chief James Vincent

- **The Station 5 Addition** is in the sheetrock, tape/mud phase. Furniture has been ordered with an August delivery date. The Gym equipment is being reviewed for an update to current fitness equipment standards.
- **The New Engine** is working well. Some radio wiring will have to be re-done. Other than that there have been no issues.

Boise Fire Department Report – Chief Romeo Gervais

- **The Air Pack issues** are close to being resolved. Boise Fire thanks Eagle Fire for the loaner air packs that were needed until the new ones can be put into service.
- **Hazard Mitigation Plan Update** is in the process of the yearly update. Mallory Wilson will be reaching out to DA Vaughan in order to complete the NACFR portion. Mallory is meeting with the County next week.
- **Boise Station 5** should be complete and open within the Oct/Nov timeframe. BFD Station 5 Truck Company should be moving out of Station 18 by November. DA Vaughan stated that the Station 18 roof needs replaced, and she would like to schedule that during the time the Station is vacant. The vacancy will be sometime November through March when weather may not permit this type of project.

New Business:
None

***Adjourn: 4:41 p.m.**

Commissioner Souza made motion to adjourn. Commissioner Ramey second. No discussion. Roll Call Vote: Ramey (yes), Souza (yes). Motion carried.

Jeff Ramey, Commissioner/Chairman

Date

*** Action Item**