

**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
March 25, 2013**

**PRESENT: GORDON L. CRUICKSHANK (CHAIRMAN)
ELTING G. HASBROUCK (COMMISSIONER)
BILL WILLEY (COMMISSIONER)
ARCHIE BANBURY, CLERK**

Meeting called to order by Chairman Cruickshank at 9:01 a.m.

The Pledge of Allegiance to the flag of the United States was led by Alysa Morrison.

Chairman Cruickshank asked to add provision of a representative to Frank Church Trails, committee to Commissioners discussion. Commissioner Hasbrouck asked to add the Senior Citizen's Center lease, and Commissioner Willey asked to add the introduction of the new director of McPaws to the agenda. Commissioner Willey moved for approval of the agenda with inclusion of the above items. Commissioner Hasbrouck seconded and the motion carried, unanimously.

Commissioner Hasbrouck moved for approval of the claims as presented, \$81,446.45 which included a Board Ordered Claim of \$2,035.89. Second by Commissioner Willey and carried unanimously.

Mr. Bob Berman, recently appointed director of McPaws was introduced by Commissioner Willey and welcomed to Valley County.

Anne Guarino, Building Department Head, reported she had responded to an inquiry of building permit costs. She has 14 permits so far this year, including two recent large houses. She has the usual springtime complaints she receives. The 2012 building codes will likely not be approved until 2014. She will be attending the next meeting as concerns fire mitigation.

Doug Miller, Court Services Director, reported that he has one juvenile in custody from another county. He attended the Juvenile Justice Substance Abuse Committee meeting. There are 1,700 juveniles in need of treatment in Idaho.

He will be travelling to Philadelphia for training funded by a grant. On the 15th through the 17th he will be attending a meeting in Sandpoint. This will necessitate his absence from the 9th to the 17th.

Vim Braak, Extension Agent, reported on the conference he attended in Twin Falls. The discussion was on economic development and waste water and waste management. He discussed recyclables. Much of the innovation concerns urban areas. Bio-char was also discussed. Wednesday he attended the Economic Development conference. Communications between city and counties appear to be a weakness in most systems.

The use of constructive wetlands to clean and clear water in the final stages was an innovative solution developed by Twin Falls that resulted in significant savings.

Pat Duncan, Human Resources Director, appeared and discussed her plans for “bullying” training tomorrow. She is still working on job descriptions.

The conversion of sick leave to cash at retirement was discussed. It is used to pay for health insurance. The accumulation is sent to PERSI and forwarded to the State Insurance Group. We would calculate their sick leave balance in dollars and send it to PERSI. Most agencies use 50% of the sick leave. Commissioners asked for a dollar amount calculated by the number of employees who may be retiring in the next few years.

David Crawford, IT Director, reported he has been working on planning and budgeting as well as continuing work on the Sheriff’s Office project(s). The issue of licensing for mobile web filters will be discussed at the Board of Commissioners Meeting on April 1st. There is a server in the north end of the courthouse that may need to be relocated.

Chairman Cruickshank noted there should be meetings between Sheriff, Assessor, I.T. Director and Ralph McKenzie to pre-plan what actions might be necessary in the North end of the courthouse.

Cynda Herrick reported there is a meeting tomorrow as concerns land applications that she won’t be attending. She reported that the Senior Center may have to close by the end of June due to a lack of financing – she went to enhance her participation in the Area Agency on Aging (AAA). Road validation work is continuing.

A GIS meeting will be scheduled to discuss standardization.

Cynda also spoke of the KWP Economic Development Meeting, Planning & Zoning’s review of the ordinance changes, and the WUI standards in the Subdivision Regulations.

Concerning Scenic Byways, she mentioned a problem of how to continue without Sage participation as they were the 501-C-3 “umbrella” within which to operate, i.e. no non-profit corporation.

She also discussed signage and obtaining help from the State of Idaho Department of Commerce.

Larry Laxson reported all equipment is up and running, the new tiller will be here next week. He will attend the Senate hearing concerned with snowmobile registration. He is working on the overflow parking lot situation. There is a tree down over his fence and he would like to clean it up but needs Forest Service approval to do so which may require waiting until normal wood cutting season.

Commissioner Hasbrouck mentioned the need for a full-time Recreation Director and his consideration of filling it. Marketing of Valley County's winter recreation was also discussed.

June Fullmer, Assessor reported she has lost an appraiser, and she has spoken with Charles Pickens a retiree, to fill in temporarily. Natalie Harvey will be moving to Vale, OR and has submitted her resignation. The vacancy will be published. The Assessment roll is due in May and she needs additional help as soon as possible.

Sheriff Bolen discussed the need for improvements in the detectives work area as well as presenting a quote for cabinetry to provide more space. Her request was approved as to form and need, and funding will be from the Court Facilities Fund as a remodel.

A grant has been applied for to fund the "tablets" which are already funded, but the grant would afford significant savings.

Treasurer Glenna appeared and presented two tax cancellations, including a mobile home that is not in Valley County any longer, and an error in a tax code on transient personal property. Commissioner Willey moved approval of tax cancellations #12-13-1 and #12-13-2, and Commissioner Hasbrouck seconded the motion which carried, unanimously. Concerning banking, she has confirmed her approach as being correct per her fellow Treasurers concerning delivery of funds to banks. Disbursement of excess funds from tax deeds was also discussed.

Chairman Cruickshank presented an Award of Excellence to Lt. Dan Smith for his 15 years of service.

Distribution of funds to the counties from Secure Rural Schools was discussed. He suggested transfer of 90% of the funds to the schools. After discussion, it was decided to send the schools 90% to get money in their hands, at a safe level, and until we have been informed of which funds, i.e. Title I, Title II or Title III are affected by the Sequestration from the Government. A letter was received by the Governor's office requesting 5.1 percent of the funds to be returned.

Closed session for indigent at 10:32. (Session recorded)

13-HS055 Request for Lien/New Application Received
13-JK082 Request for Lien/New Application Received
13-RN073 Request for Assistance Denied
13-JV053 Request for Assistance Denied
13-MV068 Final Denial
13-JM052 Request for Assistance Denied
13-MG058 Request for Assistance Denied
13-PR078 Suspension of Initial Determination
12-MT091 Hearing & Final Determination

Resume regular session.

Commissioner Hasbrouck moved to uphold the Board decision on the indigent issue. Second by Commissioner Willey and carried, unanimously.

Katie Durfee appeared to discuss the lease agreement on the Senior Citizens Center in Cascade. She questioned the term of the lease in excess of 1 year, the need for consideration of \$10 year and whether the County should provide Worker's Compensation coverage. Should maintenance responsibility of the County extend beyond the building shell and into personal property, i.e. furnace, and appliances? She noted that County also provides a vehicle for their use. She was asked to return on Monday, April 1, 2013, at 10:00 a.m. and to ask the Prosecuting Attorney to assist with the correct language for the contract.

Discussion of the proposals for trash service then followed. Commissioner Hasbrouck noted the cost to the County for the service favor Lakeshore. He also noted that the Lakeshore proposal for the Yellow Pine/Warm Lake haul appears excessive.

Commissioner Willey clarified our options of using the RFP process or rejecting the proposals and negotiating with our current provider.

Chairman Cruickshank provided a spread sheet that he had prepared to show the differences by using averaging and where we would be in 2022 with costs.

Discussion followed on all the comments and concerns.

Commissioner Hasbrouck moved to reject both proposals and then negotiate a contract with Lakeshore. The motion was seconded by Commissioner Willey. The issue was voted, and passed with Chairman Cruickshank voting nay. They will meet with Lakeshore next week on April 1st at 1:30 p.m.

Recess at 12:07 p.m. for lunch.

Reconvene at 1:02 p.m.

Chairman Cruickshank opened a Public Hearing for Appeal regarding C.U.P. 12-11 ASAP Portable Toilets, Planning and Zoning decision.

Chairman Cruickshank asked if the Board had any conflicts or whether there had been any ex parte contacts. In answer thereto, none by all three Commissioners.

Staff report by Cynda Herrick. Additional correspondence from Valley Soil Conservation Service, Payette River Scenic Byway, and John Vandenburg.

Chairman Cruickshank asked if any clarification was required. Commissioner Willey asked for clarification concerning an ambiguous statement, in condition of approval #11. Response by Cynda was satisfactory. Commissioner Hasbrouck questioned #12, concerning the original phasing plan which was 5 years.

Appellant Jo Zimmer, 37 Johnson Lane, presented her views as an affected person. Her principal concern was that the conduct of the business negatively impacted the value of her property, in that it is not presently screened from view. She argued that this type of business is more industrial than commercial and was not suitable for residential sites. She was concerned about environmental impacts and permits that had been approved. She also wants a building erected to store the porta potties.

Lisa Mohler, 47 Johnson Lane, voiced her concerns about traffic problems that may be created by vehicles turning off Highway 55. She is concerned about odor, noise and view being impacted by this activity. Recommended they take this business to McCall.

Barry Mathias, 37 Johnson Lane, would like the porta potties stored in a suitable structure. He stated there were no current approvals from DEQ, CDHD, SWDHD, IDWR, or ITD.

Nicole Crossley, 14031 Highway 55, applicant discussed the various and sundry permits that had been obtained and the overall compliance with Planning and Zoning. She noted that they do not pump the tanks there, but simply rinse them and pump out the remaining rinse water. The intentions for building construction were discussed. She stated there has been very little objection. The proposed disapprovals are not based on standards. This will have less environmental impact than 5 cows. They went through two hearings at the P&Z level. All regulatory agencies have given their approval, but are still working IDWR. Supports denial of appeal – they are an essential business.

Commissioner Willey asked if they pump septic tanks? She said no, but Josh Kris had said a holding tank at this location would be minimal.

Commissioner Hasbrouck asked if they could build sooner. Discussion ensued with ASAP about constructing buildings sooner. It ended with ASAP agreeing to store porta-potties in a building, even if they building the 20 x 30 building first.

Ned Crossley, 14031 Highway 55, stated they were going to build a 30' x 40' building within 3 years, but could build the 2 - 20'x30' buildings sooner. There is no foul substance washed out of the toilets.

Commissioner Willey read the letter from the 2 Sisters Country Store in Lakefork.

Commissioner Hasbrouck talked about a possible berm.

Dick Jenkins, 1510 Meadow Road, stated he was the owner of the property and commented as follows:

- Spent a good part of summer cleaning up the property from earlier abusers
- It is tough starting a business
- The first proposed site in Lakefork was a bad site – ½ acre vs. 10 acres.
- Cannot see indentation of property from adjacent properties.
- Across the street is a bus barn.
- Kessler has dump trucks.
- Will increase his adjacent property value.
- Porta-potties are needed – Harry has one, fire camps, construction sites, etc.
- John Vandenburg's house use to be a gas station.
- There will be no runoff into creek.

Jo Zimmer, appellant, rebutted that no porta potties should be stored on property unless they were in a building.

Chairman Cruickshank closed the public hearing.

The Commissioners discussed the matter. Commissioner Willey stated that page 31, Section 3.02 of the LUDO says the Comp Plan that should retain rural uses to limit impact and increase property values without adverse impacts. Page 37 says landscaping will be prior to issuance of certificate of occupancy and shall be 15% of site. Commissioner Hasbrouck recommended berms be created by excess dirt when leveling building sites. Chairman Cruickshank stated he doesn't mind the 2 smaller buildings first and they have to get permit from IDWR.

After discussion of the need for the buildings to conceal the porta potties, Commissioner Willey moved to amend Condition of Approval #11 to deny outside storage of the porta potties, and amend Condition of Approval #12 to require completion of landscaping in the first year of operation. Commissioner Hasbrouck seconded the motion and carried, unanimously.

Squaw Creek Soil Conservation, an elected but volunteer organization, appeared and discussed their efforts to train people on how to use the government's rules and funding. Next year's budget is what they have come to be heard concerning. For their Fiscal Year July 1 of 2014 to June 30 of 2015 they ask that Valley County confirm support of \$715. Clerk Banbury was asked to prepare letter of documentation for Squaw Creek's support and submit it to the Board for approval.

Commissioner Willey moved to approve the minutes of March 18, 2013, second by Commissioner Hasbrouck and carried, unanimously.

Jerry Robinson, Road Superintendent, appeared and discussed the following:

Selection of Cesco Road Grader at \$98,675.00 which is net of a \$150,000 trade in allowance was recommended by Jerry Robinson. Commissioner Willey moved approval of the bid from Cesco, second by Commissioner Hasbrouck and carried, unanimously.

Easement on Eastside Drive. An appraisal and centerline survey is required. The right of way should cost about \$40,000. The State of Idaho seems to favor completion.

McCall-Valley County Chip Seal Agreement, as previously approved was presented for signature by the Chairman, and signed accordingly.

Weed spraying in the future, after 2013, will no longer be paid by the government. The County may want to consider doing this, with the provision that we have licensed commercial sprayers to do so. An appropriate fee is to be developed and charged.

Jerry presented the Board with a notice of his retirement effective July 12, 2013. Commissioner Hasbrouck moved for acceptance of the letter, Commissioner Willey seconded, and the motion carried.

Adjourn at 4:00 p.m.

Gordon L. Cruickshank, Chairman

Attest:

Archie N. Banbury, Clerk