

**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
June 24, 2013**

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

Meeting called to order by Chairman Cruickshank at 9:10 a.m.

Pledge of Allegiance was led by Todd Hatfield.

Commissioner Willey moved for approval of the agenda as presented. Commissioner Hasbrouck seconded and the motion was approved, unanimously. Junior College tuition was discussed and it was noted that the Idaho Association of Counties advises that "McCall College" is not a community college and is thus not eligible for tuition support to students.

Trudy Eiguren presented the claims. Commissioner Hasbrouck then moved for approval of the claims including the Board order claims for \$13,079.90, and regular claims totaling \$198,697.87 for a total of \$211,777.77. Second by Commissioner Willey and carried. Junior College tuition was discussed and approved for Brittany Born, Krystal Yates and Courtney Keith on motion of Commissioner Hasbrouck, second by Commissioner Willey and carried, unanimously.

She also presented a claim for EMS for an audit fee of \$3,000. Commissioner Hasbrouck moved for approval of the Board sitting as the EMS Board, second by Commissioner Willey and the motion to approve the EMS claim carried unanimously.

Anne Guarino, Building Department, reported for the Building Department, she is busy with new plans coming in. She has been working for the removal of old mobile homes. She is also working with the Prosecutor to develop a formal procedure for the removal process. It was noted that older mobile homes, 1976 models and prior, are not habitable without re-wiring and other modifications.

Doug Miller Court Services reported two juveniles in custody. The detention staff is doing their own summer school for the detainees using on-line classes. Trail crew is going strong with 4 participants collaborating with the U. S. Forest Service. The POTS program is going well with collaboration from the Extension office, with Allyson Statz of the Extension Office and Sylvia Ryan from Court Services being involved in organizing and operating this effort jointly.

Unsupervised probation debt is now current with all cases that have been less than 12 months in process. They will now go back an additional year and start working on those cases.

Misdemeanor probation is again busy with late night calls. He is working with victims and perpetrators on restorative conferences. The goal is understanding between the two parties.

Vim Braak, Extension Agent appeared and discussed the recent Economic Development meeting. 4-H has been doing well. The recreation summit data is being compiled and should have the data available the first week in July. He noted we have a lot of repeat business and loyal customers, but they represent older age groups. We need to develop new participants in the younger age groups.

The recent workshop on economic development developed a priority list and strategic plan for the next year. The business plan competition was also discussed as an important tool to jump start business development and growth. They have decided that only new business operations would be considered and not as simply replication of existing businesses. The prize money has to come from private industry. Two prizes of \$2,000 each are projected or desired. They have asked both the City and the County for money to develop the marketing aspect, but not for the prize money. This is not for the purpose of giving money to a business to get started. Only McCall is participating at this time. Chairman Cruickshank asked if Cascade and Donnelly had been asked to participate in the funding as this needs to be countywide and not just McCall and Valley County.

The HR Director was not present.

David Crawford, I T. Administrator, reported receiving two servers from McCall, at no cost to the County which will provide necessary back-up systems for the existing servers.

Cynda Herrick, Planning and Zoning Administrator discussed a number of issues. The Board agreed to meet with the Planning and Zoning Commission at 2:00 p.m. on July 15 so that the Commission can present all of the proposed amendments to the Board themselves.

Concerning Warren Wagon Road Validation, is additional right of way really available? She has asked the previous surveyors for their opinions. She has also requested lists to help with the sign list. Trail lists are available from Doug Miller who oversees the Trails Crew. Doug provided the information where they have been working. She will be developing a plan of attack for this summer. She will report more on the "Corridor Management Plan" which has been of concern to the Payette Scenic Byway recently, and needs to be approached carefully.

ASAP is getting some complaints. It is her preference to give them this year to complete their landscaping and establishment of their business. If they are unable to comply, then

consideration should be given to revoking the CUP. The site used in Donnelly to store porta potties is not permitted.

Cynda also talked about the Idaho Power study that would begin in August, storage of personal items on private property, and the meeting she is coordinating with Potlatch to avoid future public right-of-way issues.

Larry Laxson, Recreation Director, reported concerning meeting with IDPR for legislation. He liked the Winter Recreation Summit. Parking remains a concern for the McCall Snowmobile Club. He has no complaints concerning the Cabarton Raft Launch. We should be getting two new snow groomers this year via IDPR. He would like to see a recreation advisory group established, particularly as concerns the non-motorized interests.

Paula Fodrea, Welfare Director, reported \$3,850 had been earned from the “yard sale.” She termed it a huge success. WICAP recommended Julie Heideman from McCall for a national award, the Sargent Schriver Award, for which a story will be ultimately reported in the Star News.

Chairman Cruickshank presented Justin Scott of the Sheriff’s Office with a service award for 10 years of service.

June Fullmer, Assessor, reported. She has four BOE appeals at present. She noted that one is a personal appearance.

Clerk Banbury noted a need for a budget workshop/review. Chairman Cruickshank set the budget workshop for July 2nd at 8:00 a.m. to discuss the remaining expenditures in the budget.

Sheriff Bolen appeared and reported a plane crash at the Dewey airstrip Northeast of Big Creek airstrip. Two were injured and both extracted. No problems due to the Payette River Games as it was a family event.

The Enhanced Concealed Weapon Permits were discussed. Enhanced permits require a NRA certified instructor for an 8 hour class, 98 rounds of ammunition and use of the County pistol range. Only one instructor is available in Valley County at this time to perform the duties.

Treasurer Glenna Young discussed the upcoming 4th of July celebration and elected officials participation.

Closed session for indigent and charity at 10:54 a.m.

12-VL060	Request for Assistance Approved
13-PN050	Request for Assistance Approved
12-JAT083	Final Denial for County Assistance
13-CS075	Request for Lien/New Application
13-GS037	Request for Lien/New Application
13-DB074	Request for Lien/New Application

13-FS084 Request for Lien/New Application

Reconvene regular session at 11:05 a.m.

Chairman Cruickshank opened a public hearing to consider a codification update ordinance proposal as concerns fees, and changes to the Building Code concerning Roof Structures.

Staff report by Cynda Herrick. All fees are to be adopted by resolution, state statute or federal regulation. This removes the process of changing fees by ordinance and permits changes by Commissioner's Resolutions.

It is noted that any increase in fees of more than 5% still requires a public hearing. Ken Arment, Deputy Prosecutor, addressed the process of changing ordinances vs. resolutions. Costs saved by resolution are publication, codification and possibly avoiding some software changes.

Chairman Cruickshank closed the public hearing on this part of the process at 11:32 a.m. Commissioner Hasbrouck moved for approval of Ordinance 13-1. Second by Commissioner Willey and carried. Commissioner Willey moved approval of Resolutions 13-11 through 13-15 all concerning fees charged by Valley County. Second by Commissioner Hasbrouck and carried unanimously.

Chairman opened public hearing on changes to the Valley County Building Code as concerns roofing materials.

Cynda Herrick provided a staff report and noted receipt of correspondence that asked if the ordinance would require enhanced fire protection only in the WUI area or in the entire Valley County area. Ann Guarino advised that there had been an unofficial standard in the Building Department that specially treated shakes and shingles could be used. The Building Code has changed and now these roof coverings are not permitted since they do not meet the fire code. This change would simply put more teeth into their present policy.

Donnelly Fire Chief Juan Bonilla 226 Spink Lane McCall, ID. He represents the Fire Department as well as the County Working Fire Group. He noted that there are wood shake shingles that do, in fact meet the Class A standard but at an increased cost to the consumer. He noted that his recommendations are for permitted buildings, and does not intend to include utility buildings.

Stephanie Johnston, Donnelly. She supports the ordinance and she has learned that only about 1% of structures rated would have other than "A" or "B" rated roofing materials.

Chairman Cruickshank closed the Public hearing at 12:02 p.m. Cynda Herrick suggested that the structures so covered should be defined as those requiring the submittal of constructing plans. This would exclude utility buildings.

Commissioner Hasbrouck moved for acceptance of Ordinance 13-2 as amended. Cynda will bring in a clean copy for signature by the Board. Second by Commissioner Willey and carried.

Adjourn for lunch at 12:05 p.m.

Reconvene at 1:05 p.m.

Discussion of the Road Development Agreements by present and former officials followed. Present were Phil Davis, Doug Camenisch, Lee Heinrich and Jay Kiiha together with Jerry Robinson and Curtis Bennett, the newly appointed Road Superintendent.

Phil Davis suggested a Supreme Court decision says the RDA's are legal because they were voluntary. A related case is Alpine Village in McCall. Mr. Davis suggested that Jay Kiiha should decide the definition of voluntary.

Doug Camenisch noted that Parametrix performed an analysis and helped set up a development by development basis. There was no way to show an equitable share of the cost. He pointed out the CIP (capital improvement program) areas and the direction taken was to establish some costs based upon the distance from the developments to Highway 55. They looked at new road development from each of the CIP areas. They then developed projected costs for the transportation from the CIP's. They used acceptable national level traffic studies as to the traffic from highway 55 to the various CIP's.

The Road Department was to record the data so that as the development occurred, the money was spent on improvements to and from those areas. There are no CIP areas that have not been improved, but many have received much more than others. Many factors were considered, including gravel sources being close to some and some from greater distances. Each CIP had differing costs considered. Some CIP's had drainage problems, others did not.

Phil Davis discussed impact fees, as were then codified, would not be acceptable in Valley County. Mr. Kiiha said that "voluntary" concerned the developer agreeing with the County, having the choice to do so or not. The fees collected were not for routine periodic maintenance and operations. The money was for the basic construction of the roads. Further, existing residences were removed from the calculations, costs were determined on proposed new construction.

Flat Creek Road issues were discussed by Dave Carter and Allan P. Bloxsom, III who appeared for the purpose of developing facts as concerns Flat Creek Road.

He wants to follow the county right of way, of course, subject to the existing agreements. He would work with the County anyway he can. His concerns in blocking off the road are poaching, fire damage and trespassing. He has a gate at Davis Road and Flat Creek Road. From Davis Lane to the concrete bridge, he does not recognize the road beyond the concrete bridge as a County road. He has counsel but won't say who his counsel is because he hasn't decided which one he wants to use. This caused Jay Kiiha to opt out of any conversations with Mr. Bloxom.

Mr. Bloxom recognizes a 40' instead of a 50' right of way, which is what's been platted and filed and is presently existing. His 40' markers are noted alongside the roadway. The gate and fence are on his property. The right of way that he recognizes is from Ringel's Survey. Ringel got a copy of the old railroad deed. It describes it as a 40 foot width as does the irrigation district. From Davis Lane he owns part of on both sides, Irrigation District owns one side of the road for about 1/8th of a mile. The rest of the way to the concrete bridge, he owns both sides. Thereafter, another landowner, Walden's then Potlatch, to the State of Idaho. Potlatch has an easement. State does not have an easement. This is a former Boise Cascade, then Potlatch Road. It was a logging road. Now USFS has an easement for logging, extracting timber, both USFS and Boise Cascade. There is not general public county road in Mr. Bloxom's opinion. Chairman Cruickshank has no further questions. Mr. Bloxom will answer any questions we may have.

Jerry Robinson wants authorization to sign rental agreement for paving roller. Granted. (Motion not required).

He is not ready to discuss FRTA easements.

He asked for approval for a Project Agreement for the Boise National Forest. It is a cooperative agreement for \$85,000 for the bridge, and allows \$11,750 in kind services for contract to rebuild the Van Wyck livestock trail bridge.

Commissioner Hasbrouck moved for approval of the contract and authorization for the Chairman to sign the same. Second by Commissioner Willey and carried, unanimously.

He presented the road maintenance agreement for the Chairman's signature for Payette National Forest which is approved on motion of Commissioner Hasbrouck second by Commissioner Willey and carried.

No West Nile Virus has been found in mosquitos trapped thus far.

Commissioner Willey moved for acceptance of the bid of Edsel and Marilyn Martin for the janitorial contract and authorizes the Chairman to sign the same. Second by Commissioner Hasbrouck and carried.

Clerk noted the Ordinance previously referred to as 13-1 and 13-2 should be 13-2 and 13-3 respectively.

Commissioner Hasbrouck moved and Commissioner Willey seconded approval the minutes of 6/17/2013.

Commissioner Hasbrouck moved and Commissioner Willey seconded acceptance of Craig Tarbet's resignation from the Snowmobile Advisory Committee and approval of Terry Klanderud's appointment to same. Motion Carried.

Commissioner Hasbrouck moved and Commissioner Willey seconded approval of a letter of support for Valley County Soil and Water Conservation. Motion Carried

Commissioner Willey moved for approval of Resolution 13-16 regarding per diem for jurors. Second by Commissioner Hasbrouck and the motion carried, unanimously.

Meeting adjourned at 3:50 p.m.

Gordon L. Cruickshank, Chairman

Attest:

Archie Banbury, Clerk

AB/akm 6/26/13