

**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS  
CASCADE, IDAHO  
September 30, 2013**

**PRESENT: GORDON L. CRUICKSHANK (CHAIRMAN)  
ELTING G. HASBROUCK (COMMISSIONER)  
BILL WILLEY (COMMISSIONER)  
DOUGLAS MILLER (CLERK)**

Meeting called to order by Chairman Cruickshank at 9:03 a.m.

Deputy Auditor Alysa Morrison led the pledge of allegiance.

Commissioner Willey made a motion to approve the agenda for September 30, 2013. Chairman Cruickshank seconded the motion. No further discussion, all in favor. Motion passed to approve the agenda for September 30, 2013.

Deputy Auditor Alysa Morrison presented claims totaling \$354,051.50. Commissioner Willey made a motion to approve claims as presented and to approve Junior College applications as presented. Chairman Cruickshank seconded the motion. No further discussion, all in favor. Motion passed to approve claims as presented totaling \$354,051.50 and to approve Junior College applications.

Chairman Cruickshank informed the Elected Officials and Department Heads that Valley County Sheriff, Patti Bolen received the H. Sydney Duncombe award while attending the Idaho Association of Counties Conference last week. Chairman Cruickshank stated that Valley County is very proud of Sheriff Bolen's accomplishments and reflected that this award is a great honor to receive.

Department Head Reports-Anne Guarino Building Department reported that the building department had a busy week. She stated that builders are trying to get work done before winter is upon us. Anne reported that Annette and she went to training in Nampa to get continued education units. She reported that she will be going to Big Creek this week to inspect a house and she will be reviewing other projects in Yellowpine. She further reported that she will be inspecting a building in Stibnite. Anne stated that there still are house plans being submitted to the department.

Interim Court Services Director, Steve Ryan, reported about the Judges Fishing Day that was held on September 22, 2013. He stated that there were fifteen juveniles who participated and approximately fifteen volunteers including Idaho Fish & Game and Valley County Sheriff's office. Steve reported about the presentation that was conducted by Natalie Marti who was a victim of a drunk driver. This presentation was conducted at Cascade High School and McCall Donnelly High School and was sponsored by the EUDL grant that was awarded to Valley County Court Services. Steve reported that there are two juveniles in custody at the Valley County Juvenile Detention Center. He indicated that condition of bond cases have slowed down and the Probation Department is overseeing twenty six condition of bond cases.

Human Resource Officer, Pat Duncan, reported that there are four open positions within Valley County. There are openings for Snow Groomer, Dispatch, Court Clerk Supervisor and on call Juvenile Detention Officer. She asked about setting up times to do conduct a workshop related to salaries with Elected Officials and Department Heads. She felt that an hour or two was needed for the workshop. Chairman Cruickshank scheduled the workshop for October 15, 2013.

David Crawford with IT, reported that he would like permission to dispose of some computer equipment that is old and has no value to the County. He would like to use Four Corners Communications to dispose equipment. Commissioner Willey made a motion to dispose the computer equipment using Four Corners Communication. Chairman Cruickshank seconded the motion. No further discussion, all in favor. Motion passed to dispose the computer equipment using Four Corners Communication.

David provided a software agreement that would allow the IT Department to manage all of the updates that need to be done on Valley County computers. He reported that the software would allow the IT department to install updates to employee's computers instantly. He also reported that the IT department needs to purchase a hosting for Valley County's website.

Cynda Herrick with Planning & Zoning provided a binder that had all of the conditional use permits for Blackhawk Development. She reported that the Planning & Zoning Commission did make a recommendation for approval. She indicated that she will provide a staffing report to submit to the Valley County Board of Commissioners to review. Chairman Cruickshank asked if it included the current conditional use permits? Chairman Cruickshank advised that he heard that there are concerns from citizens regarding the development. Cynda reported that the concerns would be addressed in the staff report.

Cynda stated that she has met with a couple people from Idaho Transportation Department regarding road signs. She explained that they are not very excited about making changes but willing to work with the county. She stated that would like to go out to make sure she has an

understanding what signs are needed. Chairman Cruickshank advised that he noticed that Idaho Transportation Department was putting up new Payette Scenic Byway signs. She reported that the signs that Idaho Transportation Department is currently placing are way finding signs that are a part of the Payette River Scenic Byway efforts. Cynda spoke about Spink Lane when exchanges were made with Harold Davis. She stated that Spink lane was placed as Tax Parcel, which is actually parcel 5105. She wanted to know if this should be made as a right-of-way? Chairman Cruickshank indicated that this should not be made as a right-of-way and believed that it needs to be left the way it is to control access. He reported that was requested by the Davis family when property was purchased.

Cynda asked if an individual who had road credits could use those credits to purchase a building permit? The individual, Mr. Higgins wanted to know if he could use four thousand dollars in road credits to purchase a building permit. Chairman Cruickshank wanted to review the minutes from the past but also wanted to get the opinion of Jay Kiiha. Cynda reported that Mr. Kiiha did not have any concerns and reported that the building permit would be two thousand dollars. Cynda informed the Commissioners that she will be attending the Idaho Planning Association conference in Idaho Falls from October 9, 2013 through October 11, 2013.

Larry Laxon, Recreation Coordinator, reported that brushing at Packard John is under Emmett Ranger District. He stated that spoke with active Ranger who indicated that they do not have any funds or time to conduct the brushing. He stated that there is a different road that is a little clearer that could be used as a snowmobile trail. Larry indicated that they did not seem interested in allowing the County to do the brushing. Chairman Cruickshank asked if it would be beneficial for the Commissioners to submit a letter to Emmett Ranger District? Larry advised that a letter might be beneficial. Larry reported that he will be attending an IDPR grant workshop on October 17, 2013. He reported that Wellington Park had a cleanup day and a lot of work was completed. He stated that that he spoke with Potlatch and received a quote of forty thousand dollars to purchase property that is available. He indicated that he has spoken with members of the snowmobile club and stated that they are interested in purchasing the property. He also indicated that the snowmobile club is interested in helping out with the cost. Larry asked how he would proceed with purchasing the available property? Chairman Cruickshank recommended that he attend the IDPR grant workshop in order to gain an understanding of how to write a grant specifically in regards to purchasing property. Larry reported that the Brush Creek parking lot is going well.

Paula Fodrea with WICAP reported that they recently had the annual board meeting. She thanked David Crawford for all of the prep work he completed. She stated that there were a lot of conversations about Valley County. She reported that the new director spoke highly about Valley County and the work that is done here. She wanted the Commissioners to know that donations that are made do pay off for citizens of Valley County. She reported that she recently helped pay for rent for a family who was staying in a tent. She stated that the WICAP bathroom was repaired. Paula reported that WICAP is beginning the energy assistance program for people on fixed incomes.

Valley County Assessor, June Fullmer reported that they are hosting a mining class October 9, 2013 and October 10, 2013. She stated that the Idaho State Tax Commission is facilitating the

course. She reported that the course material will cover the history, trends and taxes of mines. It will also cover patents and other non-regular parcels from the land surveyor's perspective.

Valley County Clerk, Douglas Miller, presented Juvenile Accountability Block grant on behalf of Valley County Court Services. He reported that this has already been approved and what is being presented now is the award. Chairman Cruickshank made a motion to accept the awarded Juvenile Accountability Block grant. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to accept the awarded Juvenile Accountability Block grant. Doug also provided an update regarding the hiring of Court Clerk Supervisor which closes on October 4, 2013. He plans on supervising the Deputy Court Clerks until a Court Clerk Supervisor is selected.

Sherriff Patti Bolen thanked the local Elected Officials for her nomination for the H. Sydney Duncombe award and District 3 for voting for her. She would like to table the No Business Memorandum of Understanding with Adams County for the next Commissioner meeting. Sheriff Bolen presented two Bureau of Homeland Security grants. The first grant is for twenty-four thousand and the other is for twenty-seven thousand. Commissioner Willey made a motion to submit the grant applications for Bureau of Homeland Security. Chairman Cruickshank seconded the motion. No further discussion, all in favor. Motion passed to have Sherriff's office submit the two grant applications for Bureau of Homeland Security. Sheriff did not know why the EOC building is not heating but currently looking into the cause of the problem. She also reported that the Sherriff's Office currently has leaks in the roof. She reported that Scott Dejong is attempting to repair the roof.

Chairman Cruickshank made the Elected Officials and Department Heads aware that last date for claims to be paid out for fiscal year 2013 will be October 14, 2013, and last date to get claims into Auditors office will be by October 8, 2013.

Glenna Young, Valley County Treasurer indicated that she was very sorry that she had to miss Sheriff Bolen's award ceremony. She wanted to thank Captain John Coombs for his help with the nomination. Glenna reported that she was attending the Manatron software training in San Diego, California. She reported that while there, members of the Idaho State Tax Commission received an award. Glenna also reported that she has a leak in her office. She reported that she will be gone next week but Chief Deputy Rhonda will be able to help out if needed.

Chairman Cruickshank presented awards to members of the Road Department for 10 years of service. Tom Boxleitner was presented with a service award for his ten years of service with Valley County. Roman Drake was presented with a service award for his ten years of service with Valley County. Lori Bateman was presented with a service award for her ten years of service with Valley County.

Chairman Cruickshank discussed tracked over snow vehicle permit and how this has been addressed in the past. He reported that the Valley County Board of Commissioners wrote a letter to applicant providing them with specifics on how they can travel. Larry talked about recent permit request and he would like some limitations put on the permit usage. Chairman Cruickshank did not feel that a Memorandum of Agreement needs to be signed by the Commissioners and would like to give permission to Recreation Director to approve Memorandum of Agreement. Chairman Cruickshank would like the applicant just to have a

permit and would allow Recreation Director to issue the permit. Chairman Cruickshank suggested that the Recreation Director would report back to the Commissioners if a permit is issued. Chairman Cruickshank believed that permit would be utilized by individuals who live in Warren, Idaho or Secesh area. Larry wanted to make sure that wording in permit addressed safety of people using this trail. He advised that he would develop a permit and submit to the Commissioners for review. Chairman Cruickshank wanted to make sure that there was wording that could revoke the permit if not used as described. He expressed that it should be a decision made by the Commissioners. Chairman Cruickshank also wanted to limit the permit to the route that is needed. Sheriff Patti Bolen believed that someone needs to know when people are using the snow grooming trail. She believed that citizens using the trail should contact Valley County Dispatch in order to have an idea of when people are using the trail. She felt that at a minimum it needs to be listed on the permit and a copy of the permit be given to Dispatch. Chairman Cruickshank made a motion to allow Recreation Director to issue permits to allow oversized vehicles to use snow grooming trail. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed for the Recreation Director to create a permit to allow oversized vehicles to use snow grooming trail, to be submitted to the Board of Commissioners to review.

Commissioner Willey made a motion to approve meeting minutes from September 16, 2013. Chairman Cruickshank seconded the motion. No further discussion, all in favor. Motion passed to approve Board of Commissioner meeting minutes from September 16, 2013.

Discussion on Acceptance Letter from Zwygart & Associates for Valley County Audit will be tabled for further discussion on October 7, 2013.

Chairman Cruickshank presented employee assistance program renewal agreement. Commissioner Willey made a motion to have commissioners sign employee assistance program renewal agreement. Chairman Cruickshank seconded the motion. No further discussion, all in favor. Motion passed to approve signature of employee assistance program agreement.

Commissioners went into Indigent and Charity at 10:38 a.m.

Commissioners came out of Indigent at 10:50 a.m.

Decision after Indigent discussion were:

13-JW064 Request for Certificate Approval

13-AB078 Request for Certificate of Denial

13-LM056-2 Request for Certificate of Denial

13-DK087 Request for Certificate of Denial

13-CS075 Request for Certificate of Denial

14-RS054 Request for County Indigent Lien

14-GK051 Request for County Indigent Lien

14-RW089 Request for County Indigent Lien

Chairman Cruickshank made a motion to go into Executive Session per Idaho Code 67-2345(1)(b)-Personnel. Commissioner Willey seconded the motion. All in Favor. Motion passed to go into Executive Session per Idaho code 67-2345 (1)(b)-Personnel at 1:00 p.m. Commissioner Hasbrouck arrived to meeting at 11:00 a.m.

Motion was made by Commissioner Hasbrouck to have County Clerk's office purchase two cash registers for the Building Department and Planning & Zoning Department. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to have County Clerk's office purchase two cash registers for Building Department and Planning & Zoning Department out of their budgets and provide policy regarding checks and balances with County Clerk's office.

Commissioner Willey made a motion to go into Executive Session per Idaho Code 67-2345(1)(f)-Pending Litigation. Commissioner Hasbrouck seconded the motion. All in favor. Motion passed to go into Executive Session per Idaho Code 67-2345(1)(f)-Pending Litigation.

Decision from Executive Session at 2:02 p.m. was to have Solid Waste Supervisor, Ralph McKenzie, arrange a meeting with Lake Shore Disposal on October 15, 2013, with the Valley County Board of Commissioners.

Pete Wagner with Boise regional Department of Environmental Quality Office was present to provide a meet and greet with the Commissioners. Pete provided a date of October 3, 2013, for the Commissioners to attend a meeting at the Department of Environmental Quality State Office. The meeting will provide an overview of permit requirements for Wetlands and limitations. Mr. Wagner also informed the Commissioners that Barry Brunell will be doing a training regarding pollute trading the last part of the meeting. Commissioner Hasbrouck asked about impact related to Midas Gold? Mr. Wagner reported that Idaho Department of Lands is doing a great job coordinating meetings. He reported that Department of Environmental Quality has spent some time at the mine site and received an overview of the plans. They are also working closely with Forest Service to talk about groundwater with the understanding that the State has jurisdiction on groundwater. He indicated that Department of Environmental Quality staff was at the meeting to talk these issues through. He reported that he met with District Ranger today about the mine and felt that the Forest Service and Midas Gold are doing a good job providing updated information. Mr. Wagner reported that the main concern in Boise is phosphorous pollution and how to treat the pollution that is in river. Chairman Cruickshank expressed his appreciation for the update and visit. Mr. Wagner reported that he would follow up with the Commissioners regarding mitigation banking. He advised that the Department of Environmental Quality office in McCall closed about a year ago and the office remains closed. He advised that the Boise office conducts all of the testing in Valley County area. Mr. Wagner stated that there are less and less grants for projects and there was a 36% reduction that Department of Environmental Quality took. He also indicated that there has been a reduction in funds from the Federal Government.

Commissioner Hasbrouck made a motion to go into Executive Session Code 67-2345(1)(f)-Pending Litigation. Commissioner Willey seconded the motion. All in favor. Motion passed to go into executive session at 2:30 p.m.

Out of Executive Session at 2:54 p.m. No decision was made.

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Tobie Olson provided some documents regarding East-West Lane and a narrative regarding his thoughts on the issue involving his truck of asphalt that was denied by Valley County Road Superintendent, Curtis Bennett. Mr. Olson advised that he is asking for trucking rate and not the cost of the asphalt. Chairman Cruickshank asked how much time he was asking for? Chairman Cruickshank reviewed the invoice and indicated that it appeared there were thirteen hours for the first day and nine hours for next trip. Mr. Olson wanted the cost of trip to Boise and back which he estimated to be four hours. Chairman Cruickshank asked what is charged on an hourly rate for truck time? Tobie advised \$85 per hour for truck and pup. Chairman Cruickshank asked if the asphalt he was delivering was unusable? Mr. Olson advised that he would not try and get trucking cost out of the County if the asphalt was unusable. He believed that the asphalt was useable and that is why he believed that he should get cost of trucking. He was upset on how the situation was handled. Chairman Cruickshank asked how much asphalt was received? Mr. Olson advised that there was \$1,100 worth of asphalt. Commissioner Willey asked when asphalt was dumped can it be used again? Mr. Olson advised that it could be crushed and reused for base. Mr. Olson was willing to take two hours of truck time off the invoice. Mr. Olson believed that this project had not been held up to County standards. He did not understand why there was a secondary contractor working on this project. He felt that entire project is troubling. He believed that if all contractors are held to specific standards so should Valley County. He felt that Valley County was taking shortcuts and he felt that he is competing with Valley County for jobs. Commissioner Hasbrouck asked about the culverts that were replaced? Curtis stated that were four culverts that were replaced. Commissioner Hasbrouck asked if the asphalt was useable? Mr. Olson believed that it was but he was concerned that there was not a site tester to test the temperature. Mr. Olson reported that he was told that he was not going to get paid for his load. Commissioner Willey expressed that he has trust in the Superintendent that the Commissioners hired and believed that payment should be made to Mr. Olson. Commissioner Hasbrouck asked Mr. Olson if he was willing to reduce his invoice by 3.25 hours? Mr. Olson advised that he would be willing. Road Superintendent, Curtis Bennett indicated that he would submit invoice on October 8, 2013.

Curtis Bennett provided the Commissioners with the Hansen Precast Deadhorse Bridge Girder Contract which does not have the sales tax included in the contract. Commissioner Hasbrouck made a motion to resign the contract that does not include sales tax. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to resign the Hansen Precast Deadhorse Bridge Girder contract that does not include sales tax. Curtis also provided a letter that he received from citizens concerning Herrick Road. Chairman Cruickshank asked that this item be placed on the agenda for October 7, 2013.

Commissioner Hasbrouck reported that information he received from Idaho Association of Counties Conference was that Valley County should revisit travel plans. Curtis advised that he has done research and is fully aware of what needs to be done. It was expressed that information that counties are putting in for grants are incomplete. If the counties have specific plans, this information you get better scores. Curtis advised that the fuel bid is out and hoping to bring to the Commissioners on October 21, 2013. Chairman Cruickshank asked about Dead Horse completion? Curtis advised that paving should be done by end of next week.

Ralph McKenzie Solid Waste Supervisor, made a presentation on solid waste statistics. He reported that for the year, there has been 9,018.22 tons of waste. Chairman Cruickshank asked

if recycling material is getting hauled? Ralph advised that there is a hold on recycled plastic. He reported that there is going to be several bails of plastic that will be stored at the recycling site. Commissioner Hasbrouck asked about how long the plastic needs to be stored? Ralph advised that he does not know at this time. Ralph advised that the builders are ahead of schedule for building that is being built at landfill. He believed that it will be completed by October 31, 2013. Chairman Cruickshank advised that the solid waste contract was discussed and the Commissioners would like Ralph to talk with Lake Shore Disposal regarding wording in contract specifically regarding bulky waste. The Commissioners would like the wording to say what it does for construction debris. Janet Meckel wanted a definition of excluded waste reflected in the contract. Chairman Cruickshank wanted to make sure that it was clear about wording that does not provide Lakeshore Disposal with exclusive rights to hauling construction debris and bulky waste. Ralph advised about leaks at the Sherriff's office and wanted to share that he is going to get a contractor to look at roof. He advised that the he would like to look at roofs that were built in 1995 and get an assessment to determine if roofs need to be replaced. He stated that Northwest Roofing from Boise installed the roofs and Ralph would like them to assess the needs of the roof. Ralph advised he would report back to the Commissioners if roofs need replaced. Commissioner Hasbrouck asked about grouting that was to be completed? Ralph advised that it would be done on October 1, 2013.

Chairman Cruickshank adjourned meeting at 4:10 p.m.

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Gordon L. Cruickshank, Chairman

Attest:

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Douglas A. Miller, Clerk

dm/te 9-30-2013