

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

**October 13, 2009**

**PRESENT: GERALD “JERRY” WINKLE) CHAIRMAN  
FRANK W. ELD) COMMISSIONERS  
GORDON L. CRUICKSHANK)  
ARCHIE N. BANBURY, CLERK**

Chairman Winkle called the meeting to order at 9:00 a.m.

Claims were read by Commissioner Cruickshank:

General Fund	\$108,709.96
Road and Bridge	\$736,274.30
Magistrate Court	\$205.84
Probation	\$235.36
Health District	\$1,176.04
Indigent and Charity	\$7,245.56
Junior College Tuition	\$1,000.00
Revaluation	\$6,320.28
Solid Waste	\$78,898.06
Tort	\$47.00
Weeds	\$1,312.15
Pest Control	\$129.29
Waterways	\$2,412.74
Snowmobile 43A	\$32.12
Snowmobile – 43D	<u>\$16.21</u>
Total	<u>\$944,014.91</u>

On motion of Commissioner Cruickshank, and second by Commissioner Eld, unanimously carried to pay the bills, with the exception of three checks: (1) to the Forest Service for \$99,867.97 which concerns the East Fork of the South Fork Salmon River Bridge, and (2) to Trebar for \$135,141 concerning a Kenworth truck, and (3) to Valley Paving and Asphalt for \$229,514.88, all to be held pending maturation of a Certificate of Deposit. Also held was a payment to Paige Mechanical Group from the Court Facilities Fund for radiator repairs, pending resolution of an overheating problem.

Chairman Winkle led the Pledge of Allegiance to the flag of the United States of America.

Karen Campbell reported and asked for a Market Value Cancellation because of a double assessment for modular units at Tamarack. Moved by Commissioner Cruickshank, and seconded by Commissioner Eld, to cancel the Market Value per Cancellation #12. Motion Carried.

Greg Malmen reported a failure of the panic alarm system, and has returned the unit to the manufacturer.

Matt Williams reported no significant change, he has two white collar fraud cases for review. He is putting together a search and seizure class. He is settling a tax appeal from the Assessor. He has a multi-day trial with complexities scheduled.

John Coombs spoke regarding the H1N1 flu. Dates for vaccination are set for October 25-26, 2009. The All-hazard plan is expiring, and has a grant application. If this expires, the County would be ineligible for FEMA grants.

Sheriff Bolen reported a deputy resigned so that there will be an opening in Patrol.

Cynda reported and advised the Payette Landing decision was postponed until October 22, 2009.

On motion of Commissioner Cruickshank, and second by Commissioner Eld, added an Executive Session concerning personnel matters I. C. 2345(b) and (f) which may lead to litigation. Motion Carried.

Major Mike Keithley, Veterans Service Officer, reported on Veteran's matters. There are spine problems from the weight of body armor, brain injuries. He continues to work with Veterans and their difficulties.

Steve Brown reported on his budget.

Doug Miller, reported one juvenile in the Detention Facility. Six cases pending for Juvenile Court. He is working through the complexities of his Title V grant.

Glenna Young reported on the implementation of the new tax billing system (Manatron GRM) which replaces the elderly AS-400 system. She needs to know how to deal with the commercial accounts with respect to Solid Waste billing.

The tax deed sale commenced at 10:30 a.m. Chairman Winkle read the Notice of Tax Deed and confirmed the availability of the lots for sale.

Parcel RPC0028012004BA (Land only, does not include the mobile home)  
No Bids.

Parcel RP001830000500A  
No bids.

Parcel RP002310000150A  
No bids.

Parcel RP00246000002CA  
No bids.

Parcel RP15N03E029570A (Withdrawn)

Commissioner Eld moved to withdraw Parcel and RP15N03E029570A from the sale. Second by Commissioner Cruickshank and carried, by affirmative votes of Chairman Winkle, Commissioner Cruickshank and Commissioner Eld.

Commissioner Cruickshank moved, and Commissioner Eld seconded approval of Resolutions #09-28, #09-29, #09-30, #09-31 and #09-32. Motion carried. Resolutions #28-31 relate to year-end budget adjustments and #32 is the Fair Housing Act Proclamation.

A discussion was held concerning closing out the STAG grant with South Lake Recreational Water and Sewer District. The principal concerns relate to finances and the proper procedures to follow to close out the STAG Grant and ask the Congressional Delegation to earmark the funding for the City of Cascade.

The Final Plat for Elo Estates was presented. A motion to approve the Final Plat for Elo Estates, approve the \$7,900 in Road Development Credits, accept the public right-of-way along Elo Road, and authorize the Chairman to sign the Final Plat was made by Commissioner Eld, seconded by Commissioner Cruickshank, and carried.

Recessed for lunch at 12:00 noon.

Reconvened at 1:05 p.m.

Motion was made by Commissioner Eld, and seconded by Commissioner Cruickshank, to select Eagle River Landscape as the successful bidder for Jughandle Project Unit #3, Wildfire Mitigation Project. Motion carried. Eagle River Landscape was the lowest of 5 bidders at a total price of \$16,128.

A motion was made by Commissioner Cruickshank for Jughandle #2 Wildfire Mitigation Project to amend the contract, adding 1.0 acres and \$890.00 to the contract price. Second by Commissioner Eld and carried.

Another motion was made by Commissioner Cruickshank, and second by Commissioner Eld to extend the time for the 2008 Western State Fire Managers Grant for Paddy Flat Ranch so that the expiration date is extended to 11/30/2011 and authorize the Chairman to sign a letter of extension for that purpose. Motion carried.

A third motion was made by Commissioner Cruickshank, and seconded by Commissioner Eld, to authorize the Chairman to sign the 2009 Emergency Supplemental Fuels Reduction Grant for Jughandle #3, and extend the expiration date by 15 months to 11/30/2011. Motion carried.

A motion was made by Commissioner Eld, and second by Commissioner Cruickshank, to adopt the Valley County Fire Working Group update of October 7, 2009. Motion carried.

John Blaye, Upper Payette River Economic Development Council (UPREDC), appeared and explained his recent survey regarding Business Retention and Expansion in the City of McCall.

Robert Lyons, Vice President, and Rhonda Sandmeyer appeared to discuss the McCall Area Merchants Association (MAMA) and stated they were incorporated and had applied for nonprofit status under Internal Revenue Code 501(c)(6). Their purpose is to aid in the enhancement of business ownership in the McCall area.

They held a business expo which attracted 1,700 visitors.

John Carver and John Lamm appeared to discuss the Deferred Compensation Plan under Section 457, Internal Revenue Code. The plan is presently authorized by the State of Idaho as well as the National Association of Counties (NACO). The suggestion is to enhance the performance of the fund by limiting certain costs, as the State of Idaho does, but not NACO.

Road Department Reports.

Commercial accounts for trash pickup were discussed as to the appropriate rates to be charged on the Treasurer's tax accounts. The charges for trash pickup are current, i.e., they are not charged in arrears as are property taxes. Thus, Lakeshore Disposal should be charged Solid Waste Fees for all Commercial Loads brought to the MRF, effective January 1, 2010. The fee should be collected through the tax systems in December 2009 and June, 2010. The contract needs to be amended through the inclusion of an addendum before January 1, 2010. Lakeshore can be asked to include an explanation with their bills to their customers.

Solid waste is down to 11,000 tons for 2009 as compared to 13,000 tons last year, and the historic high of 24,000 tons.

Discussion of part-time help followed, with the understanding reached that if seasonal help are rehired after their season is up, there must be a 30 day break in service, and the re-hire should be for a short time, not to exceed three weeks. There are concerns with PERSI requirements as well as FLSA rules.

Discussion was held concerning a bill from Boulder Creek Engineering for \$8,800. Boulder had estimated recasting a bridge was \$1,000. It is not yet resolved. Dwight Utz was present during this discussion. Jerry Robinson had received the bill Tuesday night at about 6:30 p.m. and did not process it for payment. Dwight Utz said he was mistaken, the \$1,000 was his mental calculation of material costs. Most of the cost would have been labor.

Dwight Utz accepted this as fact and Robinson said he relied upon it. Dwight then billed the Road Department for \$8,800. A new bridge would have cost \$24,000 and included 18-20 pieces. This piece was a deck section having more rebar, and made to a greater strength factor. The Deck would have been \$18,000 and divided by five would be \$3,600 for each piece. Dwight responded that the labor is somewhat the same for one piece as it is for five. The storage fee, per contract, was \$500 per month after 30 days.

Commissioner Eld asked if he would accept less, in light of the fact that his comments misled the Road Department when they relied upon his assertion. He would like to recover the costs of his labor, which was extraordinary because he had to insert this job in the middle of his other work. Commissioner Eld asked for a compromise. Dwight asked for \$5,500 to \$6000. Commissioner Eld suggested \$5,575 for the bridge, and \$1,500 for storage, a total of \$7,075. Mr. Utz agreed.

On motion of Commissioner Eld, and second by Commissioner Cruickshank, it was agreed to pay \$7,075 to satisfy this claim by a Board Ordered Claim today. Motion carried. (Board Order claim approved, warrant issued.)

Closed Session for Indigent and Charity at 3:30 p.m.

#09-SG077	Denied for Medical Assistance
#09-PS053	Denied for Medical Assistance
#09-EF077	Denied for Medical Assistance
#09-CF088	Denied for Medical Assistance
#09-JA093	Denied for Medical Assistance
#09-JP1079	Approved for Medical Assistance

Motion by Commissioner Cruickshank to convene Executive Session per I.C. 67-2345(f) to discuss pending litigation concerning public access to back country roads. Second by Commissioner Eld and carried. Executive Session continued, to cover I.C. 67-2345(b) concerning a personnel matter, and I. C. 67-2345(c) purchase of real property, as per agenda.

Reconvened Regular Session on motion of Commissioner Eld and second by Commissioner Cruickshank, and carried.

Discussion on the 4x10 alternative work schedule followed. Weeks with a holiday will revert back to 8 hours per day, 40 hours per week. Department Heads and Elected Officials will ensure that the core hours are 7:30 a.m. to 5:30 p.m. as per prior understandings. A decision to continue for a full year was made, abrogated as necessary if conditions require.

Greg Malmen commented on the time tracking system. He recommends continuation of the present manual system.

It may be that, on occasion, conditions may necessitate a few employees who must work 5-day weeks, but generally, we will try to maintain the 4-10 work week.

This change may generate an excessive accrual of leave for this year. We should persist in eliminating carry-over problems.

Commissioner Cruickshank moved to go to four (4) ten-hour work days effective November 1<sup>st</sup> until October 1, 2010. Second by Commissioner Eld and carried, unanimously.

Discussion of Snowmobile Coordinator position as a full-time position followed and the Commissioners decision to pursue a combined position involving the Weed Supervisor as a winter time Snow Grooming Supervisor, with the Snowmobile program reimbursing \$15,000 of Weed Department salaries.

Further decision continued concerning the groomer run to Warren being excessively long and involving over-hours insurance risk. We will seek a place for the operator to sleep during an eight-hour break. It does not appear feasible to contract this part of grooming out due to the cost of a groomer. An operator would not purchase a groomer for a contract one year at a time.

The role of the Weed Supervisor was discussed. With the stimulus grant approved, he has much to do. It was decided to contact John Johann, former Weed Supervisor, now retired, and offer a part time position to him at the wage scale of equipment operators. It would appear that it is a one of a kind job that would have but one applicant and thus there would be no need to go through the formal hiring process. At most, it would involve a few hours each week for the next 2-3 months. John's overall familiarity with the program would save much time in getting the plan required for the stimulus funds by November 3, 2009 as required.

FMLA requests were approved for 4 (four) employees.

Commissioner Cruickshank moved, and Commissioner Eld seconded, approval of the Board's minutes for September 28<sup>th</sup>, October 5<sup>th</sup>, and October 6<sup>th</sup>, 2009 and carried.

Adjourn at 6:10 p.m.

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**Gerald "Jerry" Winkle, Chairman**

ATTEST:

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**Archie N. Banbury, Clerk**