

**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
October 7, 2013**

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

Meeting called to order by Chairman Cruickshank at 9:05 a.m.

Chief Deputy Treasurer Rhonda Komula led the pledge of allegiance.

Chairman Cruickshank explained that there was an error in the Star News regarding the time of the Tax Deed Parcel Auction. It was reported in the paper that the auction would be at 2:00 p.m. The Tax Deed Parcel Auction was listed on the agenda for 1:00 p.m. Chairman Cruickshank suggested that the Commissioners have the Tax Deed Parcel Auction at 2:00 p.m. because that was the time that was listed in the Star News. Chairman Cruickshank reported that the Commissioners need to have an executive session today to discuss a personal matter.

Commissioner Willey made a motion to approve the amended agenda. Commissioner Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve the amended agenda.

Deputy Auditor Alyssa Morrison presented Board order Claims for the Commissioners to review. Commissioner Willey made a motion to approve Board Order claims totaling \$65,169.95. Commissioner Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve Board Order claims in the amount of \$65,169.95.

Director of Court Services, Skip Clapp requested from the Commissioners that he be able to get a cell phone for work purposes because he is on call. Commissioner Hasbrouck made a motion to allow Skip Clapp to get a cell phone for work purposes through the Valley County IT Department. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to allow Skip Clapp to get a cell phone through the IT department.

Road Superintendent Curtis Bennett presented Resolution 14-01 Road Department fees. Commissioner Hasbrouck had a question regarding #4 whereas which reads "Whereas, the Road Department will require financial guarantees for completion of projects in the county right-of-way and fees for administration of the permit and engineering costs as required by Title 5-6-3? How is the Road Department going to do that? Curtis Bennett advised that there would be a bond and that is how it was written in the Conditional Use Permit. Commissioner Hasbrouck asked how the Road Department is handling individuals who build roads that do not have culverts? Curtis advised that they would be grandfathered in and that the individuals would need to submit a permit request. Commissioner Hasbrouck made a motion to approve Resolution No. 14-01. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to approve Resolution No. 14-01.

Commissioner Hasbrouck made a motion to approve meeting minutes from September 30, 2013. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to approve meeting minutes from September 30, 2013.

Chairman Cruickshank tabled the No Business Memorandum of Understanding with Adams County because Valley County Sheriff, Patti Bolen did not receive the Memorandum of Understanding back from Adams County.

Chairman Cruickshank discussed the letter that was received advising Valley County that Bailey & Associates would not be performing the outside audit for Fiscal Year 2013 ending September 30, 2013. The letter indicated that the audit would be taken over by Zwygart & Associates. Chairman Cruickshank explained that Jared Zwygart has done the outside audit for Valley County the last few years and Chairman Cruickshank believed that for next year Fiscal Year 2014, Valley County should do a request for proposal for auditing services. It was discussed that for the audit for Fiscal Year 2013 ending on September 30, 2013, the Commissioners would continue to utilize the services of Jared Zwygart. Commissioner Hasbrouck made a motion to sign an agreement with Zwygart & Associates to conduct audit for Fiscal Year 2013. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to sign the agreement with Zwygart & Associates to conduct audit for Fiscal Year 2013.

Commissioner Hasbrouck made a motion to have Chairman Cruickshank sign the third quarter MBE report required for the STAG Grant agreement. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to have Chairman Cruickshank sign the third quarter MBE report required for the STAG Grant agreement.

Chairman Cruickshank presented the University of Idaho County Extension Agreement. He proposed that this be tabled until Dr. Pat Momont from the University of Idaho was present in order for the Commissioners to discuss. This was tabled to discuss when Dr. Pat Momont was present.

Chairman Cruickshank opened discussion up regarding current insurance certificate requirements for Human Resource Officer, Pat Duncan. Chairman Cruickshank indicated that it appears that all of the insurance certificate requirements have been provided except personal automobile liability insurance. Chairman Cruickshank advised that Pat Duncan would be submitting her proof of personal automobile liability insurance to the Commissioners on October 9, 2013.

Chairman Cruickshank opened up discussions related to the recreation sign order. He advised that signs for Warm Lake and Yellowpine need to have some notification that the roads are not maintained in the winter by Valley County. Chairman Cruickshank advised that funding was approved in 2013 and order needs to be placed before closing of Fiscal Year 2013. Chairman Cruickshank wanted to know why there is a request to number forest service routes? Cynda Herrick advised that the routes that signs are being requested are for roads that are used on a regular basis. Chairman Cruickshank asked about public land signs? Cynda advised that these signs would be installed by Valley County in the right-of-way to indicate where public land was located. Chairman Cruickshank stated that he is more concerned about delineating where private land is versus showing where public lands are. Cynda advised that preparation of these signs it was an objective to point out to recreationalist where public lands are. Chairman Cruickshank suggested that on the signs it should show how many miles it is to get to the public lands. Cynda advised that there should be some on inventory to tell citizens where the public lands are. Chairman Cruickshank asked why there are not share the road signs? Commissioner Willey asked if these types of signs were needed? Chairman Cruickshank believed that since there is not a bike path, these signs are necessary. Commissioner Hasbrouck asked about the Cabarton Raft Put-In and why this sign was not on the list? Larry Laxson stated that he was not aware that this sign was not on list. He suggested that he needs to work with Idaho Transportation Department to order such a sign. Chairman Cruickshank suggested that Valley County should not put signs on areas where the county does not maintain the roads. The Commissioners have already approved funding from Economic Development budget in order purchase these signs.

Dr. Pat Momont representing University of Idaho Extension was present to discuss the position vacancy for the Extension Educator. Dr. Momont wanted to make sure that the Commissioners new that first an internal advertisement needs to be completed. Dr. Momont advised that they do have one person internally who is interested in the opening. Dr. Momont was hoping to have approval for internal advertisement within next three weeks. Commissioner Willey was asked by Dr. Momont to be a part of the search committee. Commissioner Willey expressed a willingness to serve. Chairman Cruickshank discussed the University of Idaho Extension budget that was presented. He advised that there was a difference from what was approved by the Commissioners and what is being presented by the University of Idaho. Valley County had \$30 extra that was budgeted. Commissioner Hasbrouck made a motion to approve the University of Idaho/Valley County extension agreement. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to have Chairman Cruickshank sign the University of Idaho/Valley County Extension Agreement. The discussion was then presented regarding the reduction of funds that would be received from University of Idaho. Dr. Momont advised that there was a discussion with the prior Valley County Clerk regarding a reduction in funds to be received. Dr. Momont believed that this was competed and shared with the Commissioners. Chairman Cruickshank asked if the University of Idaho could pay

two thirds of what has been paid the past few years? Commissioner Hasbrouck believed that Valley County should look towards paying the entire salary in the near future. Commissioner Hasbrouck stated that Valley County should honor the agreement that was made with the prior Valley County Clerk. Commissioner Willey agreed with Commissioner Hasbrouck. Commissioner Hasbrouck made a motion to fund the 4-H Program Coordinator position, with \$4,162 being paid this year and increase to \$8,325 next year. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to have Valley County pay \$4,162.50 and \$8,325 next year of Alysson Staats salary. 4-H Program Coordinator, Alysson Staats reported that she had a meeting with McCall Hospital Representative, Lyle Nelson. She stated that they are teaming up to do healthy living programs in the local schools. They will be meeting tomorrow to formalize the program. Alysson reported that she also met with Donnelly Elementary School and she will be doing a healthy living class there. She will also be working her way into McCall School. She indicated that she has partnered with Recreation District in Cascade to conduct programs in the Cascade area. Alyson also provided an update related to the Youth Advisory Committee and the collaborations that are taking place regarding programs offered to the youth.

Stephanie Johnson with Cabin Creek Enterprises presented HFT Meadow Bear Unit #1, this is unit that is off of Highway 55 on Quaker hill property on the west side of McCall. She reported that on Thursday there would be two trees that will be taken down in order for a new road to be built for better access into Quaker Hill. She reported that there have been three bids submitted for Unit #1. The highest bid was submitted by South Fork Wood Projects and the total cost was \$21,833. The seconded bid presented was from Baron Loper which was \$1,145 per acre and a total cost of \$16,946. The lowest bid was submitted by American Conservation Solutions at \$1,049 per acre with a total cost of \$15,525.20. Chairman Cruickshank asked about a few issues that arouse when American Conservation Solutions were involved with a project at Horse Thief Reservoir. Stephanie advised that the issues that happened were that the contractor's grandmother passed away but Cabin Creek was not made aware of circumstances and was not aware that project was not getting completed. She advised that this matter was resolved and it was advised to the contractor that someone needs to notify Cabin Creek if a project is not going to be completed by the deadline. Stephanie also advised that there was an accident out at Horse Thief Camp in which a crew member of American Conservation Solutions damaged the Zip Line. She reported that all parties agreed that the repair will be conducted next year and Andrew with American Conservation Solutions will cover the cost of the repairs. Stephanie recommended that the Commissioners take the low bid that was submitted by American Conservations Solutions. Commissioner Hasbrouck made a motion to accept American Conservations Solutions contract to complete HFT Meadow Bear Unit #1. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to accept American Conservations Solutions bid to complete HFT Meadow Bear Unit #1.

Chairman Cruickshank opened the Public Hearing for Variance Application V-2-13 Jensen Shared Driveway. Chairman Cruickshank asked the Commissioners if anyone has had ex-parte communication. Commissioners vowed that they did not have ex-parte communication regarding this matter. Cynda Herrick provided a staff report which included a recommendation from the Planning & Zoning Commission. Discussion ensued concerning the lot split. Cyanda Herrick stated that the split of the lots is not the issue, the issue before the Commissioners is the variance to share a driveway.

Chairman Cruickshank asked for a presentation from the the applicant John Mark Jensen. Mark Jensen 258 Hikkala Lane McCall, Idaho, made the comments. He reiterated the portions of his application. He expressed that this hearing is to determine if he should have access to both lots. If stated that if the Commissioners do not allow access, one of the lots would become landlocked and he would sue Valley County for a taking. Regarding recommendations that were made by the Planning & Zoning Commission, Mr. Jensen advised that McCall Fire Department determined that the road was adequate for the access to two building sites. He did not agree with the Planning & Zoning Commissions recommendation to require approval from Central District Health because this application is for a shared driveway. This concluded Mr. Jensen presentation.

Chairman Cruickshank asked for proponents. Paige Walker presented testimony in favor of the application and reported there was a record of survey done immediately and thought that was all that it took to change lot lines. She believed that the intentions of Mr. Jensen have been good and sensitive to the views of his neighbors.

Chairman Cruickshank asked comments from the uncommitted. No one in the audience wanted to comment.

Chairman Cruickshank asked to hear from opponents of the application. Mr. Allen Wilson presented an exhibit which will be made part of the record. Mr. Wilson provided an overview of the exhibit he presented. Mr. Wilson claimed that Mr. Jensen already split the lot in 2004. He believed that the road is too narrow to allow multiple vehicles and believed that there is a telephone pole that would need to be moved if the road was expanded. Mr. Jensen also has concerns regarding snow removal and wanted to make sure that snow was not placed on his septic system. He reported that he currently has existing property disputes with Mr. Jensen.

Chairman Cruickshank gave Mr. Jensen opportunity for a rebuttal. He advised that he believed that two cars can pass on the current driveway. As far as snow removal, he agreed that could have his snow removal person placed that snow on an approved spot on his property. He again advised that all that should be discussed today is the shared driveway application.

Cynda Herrick clarified that the only time you have to have a variance for a shared driveway is if you have two building sites. She reported that it does not matter if it's a barn or a residential house. She reported that the Plat does say that Lot 10 can be split with prior approval from Central District Health. She reported that this is the reason for the conditions from Planning & Zoning Commission.

Chairman Cruickshank had a question regarding the splitting of Lot 10 and wanted to know if there was anything from Central district Health approving the split of the lot? Cynda indicated that to her knowledge there is not.

Chairman Cruickshank closed the public hearing at 11:54 a.m. and brought it back to the Commissioners for deliberation. Chairman Cruickshank advised that McCall Fire has determined that there was enough room to bring a fire vehicle. Chairman Cruickshank expressed a concern that the lot was split without any documents from Central District Health. It was discussed by the Commissioners that regarding snow removal, there is a 50 feet

easement but it was believed that it is not neighborly to place snow on a neighbor's property. Commissioner Willey wondered if there was a need for conditions related to lot split because it was already stated on the plat. It was advised that the application that is before them is regarding a variance application for a shared driveway. Commissioner Willey believed that Mr. Jensen proved a hardship and proved that the lot would be landlocked. Commissioner Hasbrouck made a motion to allow variance V-2-13 with a condition that documentation is provided that Central District Health authorized split of the lot and Mr. Jensen keeps his snow on his property. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to allow variance V-2-13 with conditions.

Recreation Director, Larry Laxon made a brief presentation and suggested that Van Wyck Bridge agreement be moved to Recreation Department and not covered by Road & Bridge Department. It was reported that current agreement is between the Forest Service and Valley County and Larry would need to contact Forest Service to advise them about new contact person.

Larry also provided a Memorandum of Agreement to be used to allow tracked vehicles over 100 pounds to be operated on a groomed trail. Commissioners made changes to the agreement and would like Larry to present during next Commissioner meeting.

Commissioners adjourned for Lunch at 12:10 p.m.

Commissioners returned from Lunch at 1:00 p.m.

Commissioner Willey made a motion to go into Executive Session under I.C.67- 2345 1 (b) personal matter. Commissioner Hasbrouck seconded the motion. All in favor. Motion passed to go into executive session at 1:05 p.m.

Out of executive session at 1:50 p.m. No decision was made.

Chairman Cruickshank opened the Tax Deed Parcel Auction and advised the audience that there were three parcels to be auctioned. First parcel was Parcel Number RP0055460040. Legal description was The Meadows at West Mountain Phase 2 & 3 Lot 4, Block 6. The physical address is 17 Buckskin Drive, Donnelly, Idaho. Minimum bid is \$7,010.78. \$36,500 was final bid for this parcel and sold to Mr. Pat Hill, 705 Brown Street, McCall, Idaho

Second parcel was Parcel Number RPM01280110240. Legal description was Lardo Subdivision Lot 24, Block 11. Minimum bid is \$4,684.35. Minimum bid and final bid was made in the amount of \$4,684.35 by Mr. Ray Pisca 4010 West Victory Road, Meridian, ID, 83642.

Third parcel was Parcel Number RP000150000190. Legal description is Big Smoky No. 2 Sub Lot 19. The physical address is 12964 Patty Dr. Donnelly, Id 83611. Minimum bid for this property is \$2,459.65. Final bid for this parcel was \$25,000, and sold to Mr. Ty Nelson, 5040 West Parsons, Boise, Idaho.

Commissioner Hasbrouck made a motion to accept Tax Deed sale and to accept bids. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to accept Tax Deed sale and to accept bids.

Chairman Cruickshank adjourned the meeting at 2:25 p.m.

Gordon L. Cruickshank, Chairman

Attest:

Douglas A. Miller, Clerk

dm/te 10-7-2013