

Valley County Board of County Commissioners

P.O. Box 1350 • 219 N. Main Street
Cascade, Idaho 83611-1350



Phone 208-382-7100
Fax 208-382-7107

GORDON L. CRUICKSHANK
Chairman of the Board
gcruckshank@co.valley.id.us

RAY MOORE
Commissioner
rmoore@co.valley.id.us

GERALD "JERRY" WINKLE
Commissioner
jwinkle@co.valley.id.us

ARCHIE N. BANBURY
Clerk
abanbury@co.valley.id.us

IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
November 14, 2011

PRESENT: GORDON L. CRUICKSHANK (CHAIRMAN)
GERALD "JERRY" WINKLE (COMMISSIONER)
RAY MOORE, (COMMISSIONER)
KATIE DURFEE, ACTING CLERK

Meeting called to order by Chairman Cruickshank at 9:02 a.m. with Acting Clerk Durfee taking minutes.

Commissioner Moore moved to approve the amended agenda as presented, Commissioner Winkle seconded and carried.

Commissioner Moore moved to approve the claims for poll and election workers as presented, Commissioner Winkle seconded and the motion carried.

JoAnn Fly, Deputy Auditor presented the claims as follows:

General Fund	\$ 87,174.12
Road and Bridge	\$ 77,447.10
Court	\$ 1,130.92
Probation	\$ 2,420.84
Election Consolidation	\$ 3,147.08
Indigent & Charity	\$ 2,481.00
Junior College	\$ 8,400.00
Revaluation	\$ 5,576.14
Solid Waste	\$ 84,521.03
Tort	\$ 429.68
Weed Department	\$ 1,062.19
Pest Control	\$ 106.74
Waterways	\$ 1,565.60
Snow McCall/Donnelly	\$ 1,005.75
Snow Cascade	\$ 121.83

Commissioner Moore moved to approve the Claims as presented to total \$276,590.02, Commissioner Winkle seconded and the motion carried.

Commissioner Moore moved to approve the Jr. College Fall Tuition as presented, Commissioner Winkle seconded and the motion carried.

JoAnn Fly then presented the Sample Ballot and Canvassing of the ballots for the election held on November 8, 2011.

The first report was the Sample Ballots with the final votes cast on Election Night. Within the report, the certification of canvassing was provided as well.

Commissioner Moore moved to accept the canvassing of the ballots as presented, Commissioner Winkle seconded and the motion carried.

Building Inspector Anne Guarino presented report of inspection to Midas Gold in Stibnite. She has issued temporary permits to allow for employees to be housed in modulars.

Doug Miller stated one juvenile was currently detained at their facility. PRIA training to be held on December 4, 2011, it is currently implemented but this would provide continued training. His department will begin the interview process to fill an Adult Probation position; thus far several applicants have applied. He attended a Health Board Meeting and added that attendance by a BOCC member is beneficial, as there will be new Medicare changes coming down the road. He has loaned an employee to help out at the Clerk's office with filing and misc. projects. He then asked of the Commissioners how civil questions should be handled; Chairman Cruickshank requested those go through Chairman Cruickshank first for direction. There are new monitors which he is working to receive with Greg's assistance, utilizing grant monies. Lastly, ICF funding will continue through Title 5 for scholarships and other various programs currently in place.

U of I Extension Director Vim Braak stated a last webinar would be held this week on Entrepreneurial training and also he would be teaching in Moscow on Thursday, then off the following week.

Chairman Cruickshank expressed appreciation for Vim's assistance on Economic Development.

Tami Bishop-Rhodes will be present at 1 pm instead of at this point of discussion.

Chairman Cruickshank said Greg Malmen was not able to be here, so he would be presenting the IT report. There will be training on the new phone system offered on Wednesday, phone messages will be erased and recreated after the new system is in place on Friday, new internal extensions will require four numbers instead of three.

Planning & Zoning Administrator Cynda Herrick offered up Lori Hunter to help with the Clerk's Office at times when staffing will be low. She has had a stop order placed on Wildwood Chair Lift at Tamarack. She feels the State permit is still necessary and some additional requirements will need to be met in order to have the stop order released for winter use.

Cynda is also working with Russell Surveying to parcel off the area needed for the Food Bank at the McCall Annex.

Rick Ridenour appeared and discussed grooming program status. He will be bringing back several return employees from the prior season at the beginning of December. CAT repairman from Peterson completed necessary repairs. New Piston Bully to be delivered before Thanksgiving to Smith's Ferry, an eight hour class will be conducted for computer training on the machine.

Chairman Cruickshank asked that several volunteers attend training as well.

Trail 483 to be groomed for this upcoming season as it has had brush removed this summer that prevented grooming this route. Insofar as Weed Stimulus program, the 3rd quarter reports have been sent in and the local coordinator is working on the mapping due by the end of the year. Mosquito program received necessary testing supplies for the

Paul Fodrea not available to appear, working on Energy Assistance through WICAP and would like Turkey Bucks for anyone who can donate.

June Fullmer presented Valley County Assessor's Request for Cancellations of Market Value, seven as follows, to total cancellation value of \$120,228. She will be working on sending notices out as a reminder to license these park models next year, so as to not have further cancellations of this sort in the future.

Parcel Number	SPC04260030040	Cancelled Amount	\$ 9,332
Parcel Number	SPC04260050040	Cancelled Amount	\$ 8,400
Parcel Number	SPC04400010040	Cancelled Amount	\$ 7,300
Parcel Number	SPC04830090040	Cancelled Amount	\$40,807
Parcel Number	SPC04260090040	Cancelled Amount	\$ 6,736
Parcel Number	SPC04400040220	Cancelled Amount	\$14,835
Parcel Number	SPC04830010010	Cancelled Amount	\$32,818

Commissioner Moore moved to approve the cancellations 6-12 as presented to total \$120,228, Commissioner Winkle seconded and the motion carried.

Discussion ensued for coverage in the Clerk's office and hiring of a temporary employee. Seeing that the item was not on the agenda today, the Board will send out a notice to all Elected Officials and Department Heads to solicit coverage using current employees and agenda for next Monday to decide approval for hiring of temporary position.

Sheriff Bolen updated that several supervisors of hers were not in attendance at the last meeting and unaware that there was a hold on electronic device purchasing, so some were purchased, however there will be grant money coming in to reimburse them.

Warrants of Distrainment were presented, question asked on how to precede with some odd properties issues. Discussion continued regarding this issue, stating it could potentially become County property and they will have to handle mobile home issues in the future and these will continue to stay on the tax roles unless a decision is made, question posed on selectivity of properties.

Chairman Cruickshank stated it appears we will have to be selective on properties with potential value and this upcoming year, look at it from a budgetary standpoint.

Commissioner Moore moved to hold off on decision for warrants of distrainment as presented, further requested of Assessor and Treasurer to come back next Monday for evaluation at that time. Commissioner Winkle seconded and carried.

Sheriff Bolen lastly explained an open position within the Jail will be posted next week.

Treasurer Young has sent help to the Clerk's office as well. Her office sent 25,000 bills out last week, experiencing an influx of calls on the matter. A Tamarack property sold recently for more than the taxes owed, she felt it important to notify those parties of interest, as there is a claim against the \$12,000 profit. She believes we need legal counsel because the North Lake LID and Homeowners Association may have some due them as well.

Commissioner Moore moved to approve the BOCC meeting minutes for October 31, 2011, Commissioner Winkle seconded and the motion carried.

Chairman Cruickshank presented Gem Plan Board Nominees.

Commissioner Winkle asked if Chairman Cruickshank would be interested, he respectfully declined.

Commissioner Moore moved to have the Chairman contact the following individuals to see if they would be interested in serving: Commissioner Sherrer, Commissioner Pratt or Commissioner Shigeta. Commissioner Winkle seconded and the motion carried.

Commissioner Moore moved to authorize the Chairman to sign the FY2012 Annual Operating Plan as presented for the upcoming snow grooming year but have Rick Ridenour bring a map in for review to ensure no changes have been made. Commissioner Winkle seconded and the motion carried.

Commissioner Moore has reviewed the Public Defender Contract. He then moved to approve the renewal, Commissioner Winkle seconded and the motion carried.

Indigent Claims were heard in closed session.

11-WB072	Approval for County Medical Assistance
11-CH081	Final Denial for County Medical Assistance
11-TD060	Denied for County Medical Assistance
11-BB048	Request for Lien, New Application for Assistance
11-TC063	Request for Lien, New Application for Assistance
11-FH061-2	Request for Lien, New Application for Assistance

Election Clerk, JoAnn Fly presented an update regarding the SVCRD board member selection, as she had spoken to an individual with the Governor's office for further direction. She explained it is the discretion of this current Governor to have the suggestions for nominees sent to the Commissioners and after they make their selection, this should be presented for the Governor to choose. Mr. Guest, along with the new appointee from the Governor, will be responsible for choosing an applicant to fill the other open position. There are no guidelines in state code for a timeline in this selection process for either the BOCC or Governor to decide.

Commissioner Moore confused by the public notice. JoAnn clarifies to take suggestions from both districts, and the Commissioner's choice from the three applicants chosen.

Chairman Cruickshank stated Mr. Guest represents Area 1, and that is not vacant. He further reads the public notice, 2 openings to fill vacancy terms for sub-district West Mountain and Alpha. He publicly directs inquiries to JoAnn, for proper assistance especially in determining areas, as well as the letters of interest so she may track.

Commissioner Moore would like to set a date for decision by the 28th and further open up to public input on the 28th, from 1045 a.m.– 1230 pm, not a hearing.

Vern Ward, ^{Cascade}~~Donnelly~~ commented from the audience, he is concerned as well as the public to have enough time to review.

Dennis Marguet, Cascade submitted a letter to the Commissioners, clarification on the opening of the positions, specifying only one position filled. Will the applicants be interviewed? Chairman Cruickshank felt this appropriate.

Aaron Guest, SVCRD Director, couple of thoughts: for efficiency purposes he asked if the number of applicants could be consolidated and given to the SVCRD, he would like to be kept abreast of input on applicants.

Chairman Cruickshank asked for clarification from JoAnn, the BOCC picks the top three with no public comment for the position that the County is responsible for filling.

Karen Balch, Cascade does think the BOCC should make a priority list of the top three from which they base their decision.

Mr. Marguet stated the Governor has received some letters as well and Commissioner Moore added he does not want to discourage anyone from the public sending a letter directly.

Decision was made to review and decide upon six applicants for the upcoming BOCC November 28, 2011 meeting with public comment on the selected applicants thereafter. Additionally, the chosen applicants will be narrowed down and interviewed on December 5, 2011 with public comment thereafter and a final decision made by the board.

Commissioner Moore then moved to authorize the publication of the public notice for taking recommendations for SVCRD applicants; subject the final draft, Commissioner Winkle seconded and carried.

Cynda Herrick presented P&Z Denial of PUD 05-01.

Chairman Cruickshank opened the meeting up and asked if there was any exparte or conflict of interest.

Commissioner Moore stated he was the insurance agent for the applicant on unrelated properties, asked for other board member's opinions and after a short discussion asked to be recused.

No further conflicts were heard by Commissioner Winkle or Chairman Cruickshank.

Cynda gave the Staff Report for denial of the extension 05-01.

Chairman Cruickshank asked what the fee would be for the extension; Cynda stated \$50, no further questions.

Chairman Cruickshank asked for testimony by the applicant.

Mike Voris, McCall – was given a three year extension with some caveats, then came back in September, wanted to conduct a sewage capacity test and worked with ITD, stating they told the P&Z board what improvements they had done and were denied by this board stating there was not enough information provided as specifically requested.

Commissioner Winkle said he would like to see a 6 month extension with sufficient progress, implement a phase plan and commit to a completion date, then asked of Cynda if either of the two most recent resolutions passed since the project began cause a conflict?

She said there are changes to the extension and different neighbors.

Mike stated he does not want to leave what he has gained thus far in the project, hates to see it stall and fail, affected by economic times.

Chairman Cruickshank asked for proponents.

Todd Hatfield, McCall, asked the BOCC to allow for the extension especially in light of the County's efforts for economic development. Felt the Commissioners should give approval for one year, if this reverts back to agricultural land the County will get less tax dollars.

Judy Leister, McCall, under current weak economic conditions which are depressed and may last for several more years this should be taken into consideration. They have been working with lenders for loans, with ITD and to perform nutrient pathogen studies and engineering work. This is an economically viable project but they need time to get out from under the economy.

Chairman Cruickshank asked for any further proponents or uncommitted, hearing none asked for testimony of opposition. Then, he asked if there was any further rebuttal by the applicant, none heard, closed the public hearing for a decision to be made.

Cynda explained they were given a 90 day extension to provide additional information by the P&Z Board; she was unaware of them needing a nutrient pathogen study due to there being more employees. The most pressing issue is that the 3 year phasing plan has no actual completion plan as coinciding with the LUDO. The P&Z Board did not see that the applicant had described significant improvements or demonstrate a plan for completion, or completion date. They were not asked to do the nutrient report or meet with ITD.

Chairman Cruickshank reviewed the LUDO, outlined accomplishments and asked what P&Z really wanted to see.

Cynda explained again that P&Z wanted to see a new phasing plan and financial guarantees to back it up.

Commissioner Winkle added the P&Z rules and regulations can be interpreted in more than one way, the applicant does seem to be trying, he would like to give the applicant a one year continuance with the requested requirements made, as the LUDO does allow for this extension.

Chairman Cruickshank wanted a detailed phasing plan, not waiting until the last minute again next year, if it does not look like it will work then they will not be coming back again to the board.

Commissioner Winkle moved to approve a one year extension for PUD 05-01 and Mike Voris, given conditions set forth, go back to P&Z with detailed phase plan and completion date set, Chairman Cruickshank seconded and the motion carried.

Chairman Cruickshank states completion means where they are at and what has been completed, and plan for future.

Recessed for lunch at 12:15 pm

Reconvened at 1:10 pm

Commissioner Winkle will be a bit late coming back from lunch, as per Chairman Cruickshank, he then returned to session at 1:25 p.m.

HR Director Tami Bishop-Rhodes appeared to provide a template for new personnel and administrative policies that she suggested the County should mirror.

Discussion ensued over review of individual sections for proposed personnel manual. Another session will be held on November 21, 2011 tentatively scheduled at 1:00 p.m.

Stephanie Johnson appeared on behalf of Cabin Creek, with the results of the bid opening as presented for West Lake Cascade CFP HFT Project Unit #1.

Commissioner Moore moved to accept the bid as submitted by Barron Loper for \$9,216.90 for the West Lake Project Unit #1, Commissioner Winkle seconded and the motion carried.

Cynda presented Westwoods Subdivision No. 2 – Final Plat; originally this portion had been missed in the recordation process.

Commissioner Moore moved to accept the final plat for The Westwoods Subdivision No.2; accept the dedicated public right-of-way for Westwood Drive; and authorize the chairman to sign the final plat.

Commissioner Moore moved to set the road maintenance for Westwood drive at the discretion of the road superintendent, Commissioner Winkle seconded and carried.

Commissioner Moore moved to go in to Executive Session, as per Idaho Code (1) (f), Commissioner Winkle seconded and the motion carried. Roll call. Commissioner Winkle “Aye”, Commissioner Moore “Aye”, Chairman Cruickshank “Aye”. Updates on pending litigation issues were discussed.

Reconvened from Executive Session at 3:15 p.m.

Jerry Robinson and Lori Bateman appeared to present Road Matters. First of which was the Gay Simplot ROW Agreement.

Commissioner Moore moved to approve the Gay Simplot ROW Agreement as presented, Commissioner Winkle seconded and the motion carried.

Request from landowner to have their road determined as a Maintenance level "C", in order to have snow removal provided for this single resident on Wallace Lane. Letter of resident's request submitted.

Chairman Cruickshank stated a letter shall be drafted to the landowner, stating it is the road superintendent's discretion to maintain; there may be times when they are snowed in as others will have a priority and determination on summer road maintenance.

The Sheriff's vehicles capital equipment purchase was then submitted, Chairman Cruickshank stated the original budgeted amount allowed for 3 vehicles. Commissioner Moore asked to put out a bid from one dealer on all three vehicles, to get a discount, instead of buying from several different local dealers.

Jerry Robinson then asked to have consideration for the following capital expense purchases as follows: used sander for \$1500, 2 funnel snowplows, new pickup for road superintendent and for his old one to go in to the road pool and a dura patcher to be rented first in June before purchasing (this not budgeted for but a frontend loader was in lieu). Commissioner Moore recommended waiting to rent and then making a decision to purchase later.

In regard to Title III Funds, Chairman Cruickshank stated he met with the Chief Deputy Clerk, she will in turn meet with Lori to settle a slight overlap in the records, and otherwise, the funds are ready to be submitted for reimbursement.

Jerry then recommended renewal of lease on Valdez Pit Reclamation. Additionally, there will be a project of upgrading road material, which is being provided by the State Department of Lands, to prevent washout along section of Eastside Drive near north beach. He is working with the Boise and Payette National Forest Service to develop continuation of Schedule A agreements for maintenance of roads. Update provided that less highway monies are available this year from the Highway Distribution Account. The Road Department is looking for grants to help with projects. He then submitted a cost for glass recycling in the amount of \$6,233.50, alternative options to be further explored first. The annual mileage reports are due and asked if Chairman Cruickshank could review prior to signing as Jerry has some questions.


Ralph McKenzie appeared to discuss Waste Management Systems matters; started on chain link fence to meet up with existing fence for the Boat Storage facility in Lakefork to help contain debris which gets blown around. He is working on a building permit if engineering will work as per OSHA, Ralph stated the drawings were redone, as per OSHA the stairway would be our responsibility. A discussion was held on if this was needed. Ralph said he would get us a copy of the report submitted to him. Commissioner Moore asked if the use of an ATV to drive around would be much cheaper to do. The Commissioners want more discussion before any funds are spent.

Commissioner Moore then moved to go in to Executive Session as per Idaho Code (1)(b), personnel matter at 4:20 pm, Commissioner Winkle seconded and the motion carried. Roll call: Commissioner Moore "aye", Commissioner Winkle "aye", Chairman Cruickshank "aye".

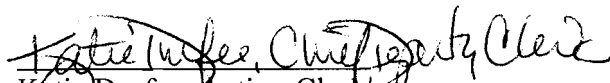
Reconvened out of Executive Session 5:00 p.m.

Discussion of legal counsel for Commissioners ensued for representation of civil services. Commissioners will contact attorneys and see who may be interested.

Adjourn at 5:04 p.m.


Gordon L. Cruickshank, Chairman

Attest:


Katie Durfee, Acting Clerk

KD/me 11-21-11