

Valley County Board of County Commissioners

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**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
December 12, 2011**

**PRESENT: GORDON L. CRUICKSHANK (CHAIRMAN)
GERALD "JERRY" WINKLE (COMMISSIONER)
RAY MOORE, (COMMISSIONER)
ARCHIE N. BANBURY, CLERK**

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

Commissioner Moore moved to approve the agenda as amended, with the addition of Excess Tax Deed Funds discussion, and an executive session as per Idaho Code IC 67-2345 (1) (b) personnel matter at 2:30 p.m. and also to Payette National Forest Mill Creek project, approval of the HR Contract, second by Commissioner Winkle and carried.

Claims were presented by JoAnn Fly. Commissioner Moore moved, second by Commissioner Winkle and carried to approve the claims in the amount of \$231,011.15.

Commissioner Moore moved to approve the Jr. College Fall Tuition as presented for D. Kesler, J. Leavitt and C. Farner. Commissioner Winkle seconded and the motion carried.

JoAnn Fly led the Pledge of Allegiance to the flag of our country.

Anne Guarino reported for the Building Department on her ongoing work in process. She traveled to Stibnite to tour the temporary and proposed sites facilities.

Doug Miller reported on progress for PREA. All detention personnel will need training. (This is a prison rate elimination activity.)

He will be absent for Juvenile meeting on Wednesday and Thursday on next week.

With Judge Boomer retiring he will be meeting with other Judges on misdemeanor cases and how they project their process.

Vim Braak reported for the extension office, unemployment level is down to 12.4% for Valley County. The situation is stable, but the number changes because people are leaving the county or their jobs have disappeared. The bottom line is we appear to have bottomed out. Sales tax is up slightly as a moving average. The labor force is at about the 2006 level.

He attended faculty meetings for extension; all offices statewide are working on trying to improve the economic situation, essentially doing the same things.

4-H is going well. Also, his staff is working with Doug Miller's staff on curricula development.

Tami Bishop Rhodes, HR Director provided information on her work in progress. She will chart out the ICRMP Risk Management Discount Program requirements to receive the 5% discount from ICRMP on liability insurance. Review of the Personnel Policy Manual will continue during the afternoon of the December 19th Commissioner's Meeting.

Greg Malmen reported and requested a wireless headset for the Sheriff's office at a cost of \$280.00 approximately. Commissioner's approved expenditure out of IT budget. He will be setting up a computer for Jerry Robinson at Lake Fork, and another at Cascade for Jeff McFadden. Video arraignment is working o.k., and is being fully implemented.

He is talking with Xerox about reinitiating the contract for the extension office at a potential savings of about \$1,000 per year.

David, his assistant, is working at cleaning up the Sheriff's file structure.

He has the contract with Frontier for signature. Commissioner Moore moved to approve the Frontier contract and authorize the Chairman to sign same. Second by Commissioner Winkle and carried.

Cynda Herrick reported and noted the public hearing on the Nisula Gravel Pit is scheduled for Wednesday night, December 14th, 2011 at the Legion Hall in Cascade at 6:00 p.m. She provided staff reports (on CD's) for the Commissioners. She will be meeting with the Planning and Zoning Commission and the City of Donnelly concerning their impact area most likely on or about 1/12/2012.

Rick Ridenour reported on Snow Grooming. The new cat for Smith's Ferry was delivered but without a brush guard for the windshield and also without a tiller. Petersen Equipment has the guard on back order and will be delivering the tiller soon. Training of operators was performed when the new Smith's Ferry groomer was delivered so all could see the new improved computer system for operating the new groomers. He has interviewed six candidates for on call operators to fill four positions.

He will be receiving a snowmobile from Parks and Recreation. His trailer is limited to one snowmobile, and he needs a two machine trailer for search and rescue situations. (Required for safety reasons)

Chairman Cruickshank suggests checking with the Sheriff and also to see if a suitable trailer can be obtained as a donation.

Regarding weeds, Rick stated that according to the State Department of Agriculture, he will be required to have a permit if he sprays near water, and also if we spray the valley for West Nile Virus. He will be working with the State to obtain the permits. This application must be submitted by the first of March.

June Fullmer, Assessor reported she has a few more cancellations, from the Board of Tax Appeals. She has had appraisers tour the Midas Gold mining operation. She provided Market Value cancellations #19 and 23-30 inclusive.

Commissioner Moore moved to approve the above market value cancellation Commissioner Winkle seconded and the motion carried

These cancellations totaled \$348,128.18 in market value.

Clerk Banbury reported his office is getting by though short of help.

Treasurer Glenna Young appeared and was thanked by the Chairman for decorating the Commissioner's Chambers. She is still posting taxes. Her office is receiving complaints on taxes, however down from the prior year.

She is holding excess funds on a property sold on a tax deed. She asks for instruction from the Board. Commissioner Moore moved to return the excess taxes held by the Treasurer on the subject sale, second by Commissioner Winkle and carried. She will bring in a letter for the Commissioner's signature on that subject this afternoon.

Commissioner Moore moved and Commissioner Winkle seconded approval of the Commissioner's minutes of December 5th, 2011 and the motion carried.

Commissioner Moore moved to approve of the letter of support for the Cascade Ranger District's request for an IDPR grant, second by Commissioner Winkle and carried.

Commissioner Moore moved approval of support and vote for Rick Yzaguirre for election to the CAT Board, second by Chairman Cruickshank and carried.

Closed session for indigent and charity at 10:34 a.m.

Claim 11-TC063 Approved for County Medical Assistance
Claim 11-GM060 Final Denial on Request for County Assistance

Reconvened regular session at 10:44 a.m.

Cynda Herrick presented the adoption of the ordinance for codification and asked that it be published on December 29, 2011. Commissioner Moore moved to approve Ordinance 11-9 to become effective on December 29, 2011 upon publication. Commissioner Winkle seconded and the motion carried.

Commissioner Moore moved and Commissioner Winkle seconded approval of the amendments to the McCall and Donnelly Fire District's EMS Contract and the motion carried.

Commissioner Moore moved to approve a 12 month extension on the life of the Human Resources Director's Contract to 12/31/2012, second by Commissioner Winkle and the motion carried.

Delta James appeared as staff representing McCall Impact Area Planning and Zoning Commission and introduced CUP 11-03. The issue would be discussed in a public hearing.

Chairman Cruickshank opened the public hearing and asked if there was any ex parte comment, or conflicts of interest with the board and this request. There was none voiced.

Delta James provided a staff report for CUP 11-03, 2595 East Side Drive, McCall Impact Area. There has been some confusion as to the adequacy of the original 1994 approved conditional use permit, so the principals reapplied for a second CUP which was intended to cure any defects in the original. Their proposed plan was approved by McCall Planning and Zoning on December 11, 2011. Delta noted that the following conditions of approval were prescribed: First condition of approval is to exercise the permit within 12 months of the City Council approval., Second condition is that a "will serve" permit from the Payette Lakes Water and Sewer District is required, Second, that outdoor activities shall be limited to the hours between 10 a.m. and 10 p.m. Third that a "will serve" permit be obtained from Payette Lakes Sewer and Water District. Fourth, and finally, that the applicant will redirect, or improve the archery area by increasing the back drop, or relocate it for safety concerns.

Questions: Where is the archery range? It was noted on the map and explained.

The proposed site plan was reviewed. Proposed use is actually decreased, and fewer structures will be erected.

No favorable witnesses are present, and none uncommitted, and also none are opposed. Mr. Don Nelson, after hearing the presentation is not opposed. There is no reason for rebuttal. Commissioner Winkle moves to accept CUP 11-03, Camp Ida-Haven Site plan. Second by Commissioner Moore and carried.

Commissioner Moore moved and Commissioner Winkle seconded authorization for the Chair to make written comments on the Mill Creek Project proposed by the U. S. Forest Service. The motion carried.

Commissioner Moore discussed the recent RC&D meeting in which the Payette Forest Coalition road obliteration issue was discussed.

Commissioner Moore met with the Sheriff Department and McCall and Cascade Police Departments concerning review of dispatch software that he supports and is working on outside funding for the purchase of the software. He also mentioned that negotiations as regards sharing the costs of dispatch are still on-going.

Ronn Julian and Jerry Lundgren appeared on behalf of the Snowmobile Advisory committee. Ronn said he had several items he wanted to discuss.

First, adjustments to the groomed snowmobile network relative to renewing the annual trails use agreement. Some of the changes proposed are significant, in terms of the trails being added. He provided a map identifying the trails. Most of the trails are in Adams County, but accessed from Valley County.

Second, as to roles and responsibilities. A proposal from last year was distributed to the Board. Ronn thinks they are important. He doesn't feel that he is as engaged as he has been in the past. His proposal was taken under advisement by the board with Commissioner Moore commenting that IC 67-7107 is the proper statutory reference for the appointment of the Snowmobile Advisory Committee.

Third, signage was discussed, as well, and the document presented, prepared by the International Association of Snowmobile Administrators and dated in the year 2000 needs further study as to the merits of its adoption by Valley County.

Lastly, a proposal was made for the Cascade/ Warm Lake Snowmobile to apply for grants to add to the groomer shed and to provide some brush removal on certain trails in the future. The discussion centered on the grant being applied for by the club, and the work proposed to be done by contractors, and the grant managed by the club. It was pointed out that the grant would, of necessity be made to the county who would oversee the administration. The brush removal proposal could be put off for 2 or 3 years and may not require county administration.

Adjourn at 12:20 p.m.

Commissioner Moore moved to convene into Executive Session as per IC 67-2345(1) (a), (b), and (f) at 1:20 p.m. Second by Commissioner Winkle and carried. Roll Call vote: Commissioner Winkle "aye", Commissioner Moore "aye" and Chairman Cruickshank, "aye."

Convene into Executive Session at 1:20 p.m. with Clerk Banbury excused.

Discussion commenced on potential person to handle civil cases for the commissioners.

Reconvene regular session at 1:53 p.m.

Kathy Hull appeared and discussed Cascade Auto as a possible source of auto parts and related items for Valley County. She discussed her willingness and desire to do business with the County. She would be pleased to keep an inventory and supply parts to the Road Department and/or consign the parts to them. She was asked to discuss her abilities and willingness to serve the county's needs with Jerry Robinson. Mr. Robinson suggested she talk with Tom and Stretch. Jerry also commented that NAPA owns Midland who is a major supplier of truck components, which helps save us money. Kathy also questioned why the NAPA bills are sent to a business in Adams County. Chairman Cruickshank clarified that this is the main office for the NAPA stores in McCall and Council.

Jerry Robinson appeared and presented application for Federal Highways Application as well as letters of support for approval and signature. Primarily, the application is for chip sealing and involves a little over a million dollars. Commissioner Moore moved for approval of the application and authorization for the Chairman to sign the same. Second by Commissioner Winkle and the motion carried.

Jerry provided a report on employees who would be out of compliance for the vacation hours. He does not allow employees time off during snow season. After discussion Commissioner Moore moved to grant an extension for the 6 individuals listed until July 1, 2012, at which time they must be compliant. Second by Commissioner Winkle and carried.

Jerry had a discussion with the landowners along the Flat Creek Road. It doesn't appear that they are proposing anything new than what was discussed with the commissioners.

He is using his resources in a variety of ways and is standing by for snow.

Ralph McKenzie appeared to discuss Solid Waste. He discussed the completion of the addition to the building and the few problems encountered. Trees have been removed at the corner towards the top, near the transfer site for better visibility to see oncoming vehicles and trucks.

The recycle area at Lake Fork has been fenced on the North and West sides.

Tony Meckel appeared with his wife Janet and son Brandt to discuss the excavation operation they operate in McCall. She read the letter they had provided to the Commission this past week. She objects to the interpretation of the exclusivity portion of

the contract between Valley County and Lakeshore. She argues that the contract does not provide an exclusive right to dispose of construction waste. The Meckel's intent was to have the commissioners aware of this issue and asked that they consider this when the contract is renewed in the future.

Chairman Cruickshank notes that contractors have been hauling their own trash for years. This is not a place for county government to be the deciding influence.

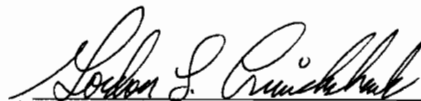
Commissioner Winkle suggests we not get into an argumentative situation here, but listen to Lakeshore at a different time and setting.

Commissioner Moore doesn't want to get involved in a contract executed eight years ago. He doesn't like Lakeshore's approach one bit.

The issue of defining solid waste can be resolved when the contract with Lakeshore is considered for renewal in the near future.

Motion by Commissioner Moore to enter Executive Session as per IC 67-2345(1) (b) (f), second by Commissioner Winkle and carried. Roll call vote, Commissioner Winkle "aye," Commissioner Moore, "aye", and Chairman Cruickshank, "aye.", With Clerk Banbury excused. Discussion on ongoing litigation matters, possible new litigation and finding an attorney for civil cases and ongoing day to day advice.

Meeting adjourned at 1:25 p.m.



Gordon L. Cruickshank, Chairman

Attest:



Archie N. Banbury, Clerk

AB/kd 12-15-11