

**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS  
CASCADE, IDAHO  
December 6, 2010**

**PRESENT: GERALD “JERRY” WINKLE) CHAIRMAN  
FRANK W. ELD) COMMISSIONER  
GORDON L. CRUICKSHANK) COMMISSIONER**

**A RCHIE N. BANBURY, CLERK**

Chairman Winkle called the meeting to order at 9:05 a.m. and lead the Pledge of Allegiance to our flag.

Commissioner Cruickshank moved to add the nomination for membership on the Board of the Capital Crimes Fund and with that addition, approve the agenda. Second by Commissioner Eld and carried.

Greg Malmen reported on his recent attendance to a class on computer hacking defenses. He also mentioned he had passed the three hour examination thereafter.

Cynda Herrick reported that she passed the certification test and is now a Certified Floodplain Manager.

Vim Braak reported on a proposed program for communities to become more adaptive to economic conditions and other changes to our communities. He suggested Valley County be a pilot for this proposed program. He has a rough outline he will provide to the Board in January.

Rick Ridenour reported on the Stimulus Package and his efforts to finish his annual report and quarterly reports.

He expects the new groomer to be delivered in mid-December. There is logging in progress in the Donnelly area which will temporarily preclude snow grooming. He has made a couple of grooming runs out to Warren. He is working with Kelly Taylor in dispatch to track the grooming runs as they occur to facilitate grooming reporting.

Paula Fodrea reported on WICAP. This is a very busy time of year for WICAP. They provided 22 food baskets at Thanksgiving, and have received 130 energy certificates. The food bank covered McCall for Thanksgiving. Energy Assistance requests are burgeoning. Snow removal is also a busy activity for the handy man.

John Blaye reported three new businesses added to the client list.

Steve Brown reported one new housing start based on house plans recently filed.

Commissioner Cruickshank suggested the Building Department take the cars home to clear the parking lot for nighttime snow removal.

Glenna reported on Treasurer Matters. She has answered many questions from citizens concerning property taxes, assessments and increases.

Doug Miller reported on Detention matters and submitted his annual report for approval and forwarding to the Juvenile Justice Authority. He also asked for approval for Jim Lawless to carry over 62 hours of vacation to enable him to take a spring vacation to Chicago.

Jerry Robinson reported his trying to get his vacation used up. The Deadhorse Bridge mitigation grant has been forwarded to the Federal Government.

Sheriff Bolen reported she would receive an additional \$928.00 in State funding from the Idaho Bureau of Homeland Security.

Discussing the Bulberry contract, annual maintenance requirements should be added to the contract and reviewed each year. Commissioner Cruickshank moved to amend the contract to provide for annual review and approval by the Board of County Commissioners each year. Second by Commissioner Eld and carried to authorize the Chairman to sign the contract when so amended.

Commissioner Cruickshank moved and Commissioner Eld seconded approval of four documents: A letter of support for a RAC grant; the Local Annual Mileage Report; a Deobligation close-out request, Nr. 2008-RO-11040216-019 for the U. S. Forest Service; and the LHTAC Local Rural Highway Investment Program 2010 Emergency Project Documentation Summary.

On motion of Commissioner Cruickshank, second by Commissioner Eld to go into Executive Session for consideration of real property purchase as provided by Idaho Code section 67-2345(c). (Two issues to be discussed) Chairman Winkle voted "aye", Commissioner Cruickshank "aye", and Commissioner Eld, "aye."

No decision was made on either property at this time.

On motion of Commissioner Cruickshank, second by Commissioner Eld to convene an Executive Session concerning a personnel matter as provided by Idaho Code Title 67-2345(b). Chairman Winkle voted “aye”, Commissioner “Cruickshank “aye”, and Commissioner Eld, “aye”.

Sheriff Bolen appeared and discussed a matter concerning one of her employees.

No decision was made concerning this matter; it will be scheduled for further discussion with Matt Williams at the December 13<sup>th</sup> meeting.

Commissioner Eld moved to reward all full time employees by a Christmas gift of \$50.00 each to be paid by check next week, inasmuch as there were no pay raises this year. The money will be included in each employee’s taxable income on their Forms W-2 at year’s end. Second by Commissioner Cruickshank and carried.

Commissioner Eld discussed the Federally Qualified Health Clinic proposed for McCall as being a helpful addition to the community which will supplement our health care and, in part, be a replacement for the service losses by the reduction to Central District Health funding. He moved to authorize the Chairman to sign a letter of support. Commissioner Cruickshank seconded and discussed some of the pitfalls. The hospital in McCall should be contacted as their opinion should be solicited. A response will be entered at the next meeting and the Chairman may sign the letter of support at that time if the report is favorable. Clerk Banbury spoke on behalf of the Cascade Medical Center as having no objection per the Hospital Administrator.

Karen Campbell reported on the Subsequent Roll, the last date for appeals being November 22<sup>nd</sup> (the fourth Monday in November) and there were no appeals. On motion of Commissioner Eld, second by Commissioner Cruickshank, the Board of Equalization closed its activities for the year.

Adjourn for lunch at 11:45 a.m.

Reconvene at 1:00 p.m.

Chairman Winkle opened the Public Hearing concerning variance application V-2-10. No ex-parte contact or conflicts other than Commissioner Cruickshank had visited the property last spring.

Planning and Zoning Administrator Cynda Herrick read the Staff Report. She asked the Board to adopt the facts and conclusions as their own.

Scott Amos, 9194 West Elderberry Drive, Boise Idaho 83709 (the applicant), spoke and said the measurement by the Building Department of 15 feet is an estimate. He says the distance from the high water line is 22 feet, close to those made by Cynda, but quite a difference from Steve Brown’s measurement.

Karen Johnson 221 Polecat Ridge Road, Cascade, Idaho, appeared as an opponent. She had earlier tried to buy the property, but learned the property was too small to build on. She is concerned about the setbacks. She wanted to know if they are correct.

Cynda responded with a map as to the distances. All are within limits.

Mrs. Johnson complained about the lack of building permits. Also, she wanted the applicant fined. She asked that the variance application be denied.

Scott denied these structures are dwellings and are not intended to be such. There is no septic system. The property is not on the power grid. He will go to solar power eventually, and presently uses generators. He intends to add a well and does not intend discharge effluent near the well.

Chairman closed the Public Hearing and brought the application back to the Board.

Commissioner Eld commented that he thought Scott was versed in the law and that this issue seems to be out of character for him not to make inquiries into what was required. He is disappointed that Scott did not properly do his checking. He does understand that this is a very small piece of property. There is no excuse for not checking with the proper authorities.

Commissioner Cruickshank commented that the building could be moved.

Chairman Winkle noted the comments of the P & Z Commission that determination is not a scientific matter. That is why there is some difference in all setbacks concerning high water marks.

Commissioner Eld suggested there is a question as to the setbacks. He sees a hardship here, but he can't approve this as is. He moved to relax the setback from the high water line, subject to the following conditions: 1) There will be no other permanent structures on the parcel unless the log structure is moved or removed. 2) The applicant must obtain proper building permits from Valley County for both buildings. 3) Buildings will never be used for habitation and will remain storage with no additions. 4) The applicant shall pay fines for constructing buildings without permits. 5) The applicant shall clean up the lot and remove materials from Forest Service land. 6) If the log structure is destroyed it cannot be rebuilt in its current location. Seconded by Commissioner Cruickshank, motion carried.

Scott advised the Board that the lot has already been cleaned up.

Glenna Young appeared to discuss the tax deed process. Properties sold earlier for an amount greater than the tax owed resulted in required payments of the excess funds to the owners. She seeks approval from the Board to make payment to Norman Alford in the amount of \$8,184.86, to Robert Little in the amount of \$1,888.10 and to Cathie Ward in the amount of \$1,888.10. Chairman Winkle so moved, Commissioner Cruickshank seconded and the motion carried.

Chairman Winkle moved for selection of Steve Rule, Canyon County Commissioner, and Arlie Shaw, Elmore County Commissioner (at large) for the Capital Crimes Defense Board. Commissioner Eld seconded approval, and Chairman signed the mail-in ballot.

The Board withdrew from the American Legion Building and reassembled at the sign shop next to the courthouse. After inspecting the premises, on motion by Commissioner Eld and second by Commissioner Cruickshank, it was carried to lease the premises for five years or more at a cost of \$300.00 month. The Clerk is directed to prepare such lease as is appropriate to both parties for approval and signature by the Chairman, to be effective on the completion of repairs and refurbishing as offered by the owner, Bob Bate Ford, Inc. and expected to be completed by February 1, 2011.

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**Gerald “Jerry” Winkle, Chairman**

Attest:

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**Archie N. Banbury, Clerk**

AB/tme 12-7-10