

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

February 25, 2008

**PRESENT: GERALD "JERRY" WINKLE) CHAIRMAN
FRANK W. ELD) COMMISSIONERS
GORDON L. CRUICKSHANK)**

ARCHIE N. BANBURY, CLERK

Convened regular session at 9:05 a.m.

Commissioner Cruickshank and Chairman Winkle gave their consent to Prosecuting Attorney, Matt Williams and Chief Deputy Prosecuting Attorney, Carol Brockmann to prosecute misdemeanors and infractions for the cities of Cascade and McCall until February 11, 2008, at which time the matter will be reconsidered, conditioned on the understanding that they are not to use county staff, except for receiving telephone calls, which may be necessary to locate or identify the assigned prosecutor.

Bills read by Commissioner Cruickshank, with Treasurer Glenna Young present, as follows:

General Fund	\$97,514.75
Road and Bridge	\$ 11,004.37
District Court	\$3,658.10
Indigent	1,426.49
Tort	\$ 142.00
Waterways	\$ 4.45
Snowmobile	<u>\$ 2,116.26</u>
Total	\$115,866.52

On motion of Commissioner Cruickshank, second by Commissioner Eld, claims approved for payment, including deferred charges from solid waste previously held.

Motion by Commissioner Eld, second by Commissioner Cruickshank to approve 11 Junior College Tuition applications as follows: Alea Shaleae Leavitt, Michael Mackenzie Lamm, Kendra Dawn Roberts, Kelsea Lynn Daniels-Moore, Melissa Anne Dorris, Luke B. Stephens, Whitney Lillian Jacobsen, Bailey Nicole Hoover, Sophia Therese Baldrice, Kelsey Caroline Mack, Laurel Faurot.

Glenna Young, Treasurer has reported payments coming in quickly on potential tax deed situations.

Cynda Herrick reported on Planning and Zoning meetings. She is scheduling a Public Hearing on Scenic Highways. County Commissioners will not attend. Regarding matrix, P & Z Commissioners want to begin analysis of the matrix during their March 13, 2008 meeting. Brewster's Mill Final Plat should be charged a full Road Development fee.

Greg Malmen, IT Administrator appeared, but had nothing to report.

Deb Deree reported regarding court matters, they have a busy week ahead with District Court.

Assessor Karen Campbell, reported and asked for reductions in market value, a total of five and three a result from the Board of Tax Appeals. Commissioner Eld moved, Commissioner Cruickshank seconded. Carried.

Commissioner Eld added comments concerning his testimony before the Senate Taxation and Local Government Committee regarding full disclosure of residential real estate.

Motion by Commissioner Cruickshank and second by Commissioner Eld to approve requested tax cancellations and carried.

Sheriff Bolen reported that the 9-1-1 Committee has requested telephone locations at the 96% level.

Special Olympics starts today with opening ceremony at Boise and they will close on Thursday evening.

She asked for reconsideration of the wages paid to the Marine Deputies. Commissioners will discuss and decide later.

Steve Brown wants to discuss time keeping. Policy set by commissioners. He referred to FLSA. Glenna reiterated requirement and any issues will be deferred to executive session.

Prosecuting Attorney, Matt Williams reported that a person possessing pleaded guilty, as well as a 122 mph fleeing motorist and another person regarding marijuana growing.

Probation Director, Doug Miller reported that he had a state inspection at the detention center and passed with flying colors. He should have a report in May.

Executive session convened, as per Idaho Code Section 67-2345(b). Present, Glenna Young, HR, Matt Williams, Prosecuting Attorney and Paula Fodrea, WICAP Coordinator.

Commissioner Cruickshank moved and Commissioner Eld seconded, Paula Fodrea's determination that the handyman position is abandoned, and Paula is to replace him. Carried.

Paula is authorized to hire a part time handyman and a part time clerical as available.

Executive session convened to discuss potential litigation.

It was moved and seconded to forward complaint of Helen Myrick to the Idaho Attorney General.

Indigent and Charity issues were decided as follows:

<u>Case Number</u>	<u>Decision</u>
07-AM012	Release of lien/Application denied
07-MK02	Continued for further investigation
07-DM061	Application Denied

Concerning the District Court decision regarding affordable housing in McCall, a discussion was scheduled to consider direction to be given to Valley Adams Regional Housing Authority (VARHA).

Commissioner Eld moved to respond to the letter that we refuse to repeal the LUDO.

Commissioner Cruickshank added that he would like to discuss the matter with the Mountain States Board of Realtors.

Matt Williams advised that the commission meet in executive session and discuss the legal ramifications of this decision, and decide an appropriate response. We will be

influenced, at some level by the decision of the City of McCall. For example, if McCall should appeal, we may join them in an Amicus Brief. There are many other possibilities as well.

Historically, we had discussed the LUDO with the Board of Realtors, and that interaction may again, be available to find a resolution without legal action.

Chairman Winkle moves to have Matt request a continuance for more than ten days from their date to respond. Specifically, Commissioner Eld wants motion amended to ask for 45 days to respond.

Then Commissioner Eld asked that it be extended for 49 days to April 14th, a regularly scheduled meeting of the Valley County Board of County Commissioners. Amendments agreed to by the Board, and carried.

Cynda is directed to coordinate her activities regarding VARHA properties with Matt Williams, who as legal counsel to the Board of County Commissioners will advise her on how best to proceed.

Recessed at 12:05 p.m.

Reconvened at 1:10 p.m.

Motion by Commissioner Eld, second by Commissioner Cruickshank that Valley County's reimbursement rate be that which is authorized for the business use of a personal automobile by the Internal Revenue Service. Carried.

Motion by Commissioner Cruickshank and second by Commissioner Eld to convene executive session as provided by Idaho Section 67-2345(b) and carried.

Reconvened at 3:15 p.m. Commissioners recommend exploration of outside legal counsel for personnel issues.

Road and Bridge. Jeff Schroeder requested presentation of the Transportation Plan and potential adoption by the board on March 24, 2008.

Jeff reported that he has retained Cabin Creek Enterprises to assist with the GIS portion of the Transportation Plan.

Davis Creek Lane needs approval from Ken Roberts on legal description.

Reviewed solid waste report, and new addendums to be included in future reports.

Road Superintendent Jerry Robinson mentioned availability of certain real property that has recently come onto the market.

Executive Session per Commissioner Cruickshank, second by Commissioner Eld, to discuss purchase of property, per Idaho Code 67-2345 (f) at 3:40 p.m.

Regular session reconvened at 3:50 p.m.

A discussion was held concerning the various houses for rent near Goode Lane. Consideration of deterioration of the properties dictate the sale of the property.

Decided to rent the properties as soon as possible. Jerry Robinson will see to getting the snow cleared out of the roads.

Meeting adjourned at 4:12 p.m.

GERALD WINKLE, CHAIRMAN

ATTEST:

ARCHIE N. BANBURY, CLERK